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DOCUMENTS, ESSAYS AND FACTS,

TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES,

AND A

RECORD OF THE EVENTS OF THE TIMES.

H. NILES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE.

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NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

We have given up nearly all our space to a record of the proceedings of congress—and, in our next, (to be aided by a *supplement*), we shall bring up the state of things into something like regularity and order.

—

A good many copies of the REGISTER pass on to Great Britain, &c. This work contains a compact and well arranged and extensive record of public concerns. Gentlemen desirous of sending it to their friends in Europe, are respectfully informed, that we can so arrange it as to have the inland postage paid to New York, and so save them all trouble in forwarding it regularly.

—

The leisurely gate at which congress proceeded was wofully paid for at the close of the session, when a great deal of business was neglected for the want of time! The following are some of the bills lying over—

The post office reform bill; (passed unanimously in the senate).

The custom house regulation bill; (passed nearly unanimous in the senate).

The important judiciary bill; (passed by a vote of 31 to 5 in the senate).

The bill regulating the deposite of the public moneys in the deposite banks.

The bill respecting the tenure of office, and removals from office; (a most important bill, supported in the senate by men of all parties).

The bill indemnifying claimants for French spoliations, before 1800.

The bill for the relief of the cities of the District.

The bill providing for the increase of the corps of engineers.

The bill to carry into effect the convention between the United States and Spain.

The bill to improve the navigation of the Mississippi, in the neighborhood of St. Louis. All sent from the senate.

The bill making an appropriation for the support of the military academy at West Point, luckily passed—being tacked on to another bill!

The bill concerning fortifications is lost! *Not one dollar is appropriated!*—owing to certain amendments. To this bill, the house, on the last day of the session, added the following as an amendment—

"*And be it, &c.* That the sum of *three millions of dollars* be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, to be expended, in whole or in part, under the direction of the president of the United States, for the military and naval service, including fortifications and ordnance, and increase of the navy; provided, such expenditures shall be necessary for the defence of the country prior to the next meeting of congress."

When this came to the senate, the extraordinary section was opposed as conferring on the president unlimitted military power. The senate disagreed to this vote for the three millions of dollars; and here are the yeas and nays on the motion *to disagree* to it:

YEAS—Messrs. Bell, Bibb, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Goldsborough, Hendricks, Kent, Knight, Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Swift, Tomlinson, Tyler, Waggaman, Webster, White—29.

NAYS—Messrs. Benton, Black, Brown, Buchanan, Cuthbert, Grundy, Hill, Kane, King, of Alabama, King, of Georgia, Linn, McKean, Morris, Robinson, Ruggles, Shepley, Tallmadge, Tipton, Wright—19.

The bill went back to the house. The house *insisted* on its amendment, and again returned the bill to the senate. The senate voted to *adhere* to its disagreement—29 to 17.

A committee of conference was the result. They met and resolved to strike out the appropriation of three millions, and insert in its place—

"As an additional appropriation for arming the fortifications of the United States, three hundred thousand dollars.

"As an additional appropriation for the repairs and equipment of the ships of war of the United States, five hundred thousand dollars."

And, at 11 o'clock, at night, the senate, anxious for the bill, sent a message to the house—but the house, because of its thinness, or something else, did not act upon it! Forty-six senators answered to their names at a little before 12 o'clock.

The appropriation for a minister to England was lost by disagreement between the two houses—the senate insisting that he should be appointed with their consent.

Mr. *Taney's* nomination lies over.

The bill providing for the erection of a new treasury building, remains untouched—we believe.

The "National Intelligencer," (from which the preceding is chiefly abstracted) says—

We have time for no more—nor spirits for any more—at present, though it will be our duty to state, hereafter, other things which we have heard and believe, respecting the causes of the loss of these essential measures.

And adds—To enable our readers to understand, at the earliest possible moment, what was actually *done* during the session of congress just closed, we have taken some trouble to have a list made out of all the acts passed; which will be found in preceding columns. For the same purpose, as the general appropriation bill was made to carry weight not usual to it, by being loaded with several other bills which had otherwise perished in the general rout of all remaining business, we have anticipated the publication of it in the government paper, having with great exertion been able to obtain a correct copy of the act, from the rolls of congress, in the form in which it will be found on the preceding page.

Among other things which the house of representatives left undone, was the election of printer to that body for the next congress. That election would have been made, but for the attempt to introduce, in connection with it, a provision, directly contrary to law, that the election should be made *viva voce*. This illegal innovation was, of course, resisted, and its opponents proved too many for those who were afraid to trust them to a balloting. So the election lies over.

—

We shall publish the report on Mr. *Poindexter's* case, at full length—those lately proclaimed, and such as have been recently approved. It will be marked, that those of the "packed" committee of the senate, have been *unanimously* pronounced to be entirely correct!—that the whole senate *unanimously* voted his acquittal!—*that those who swore against him, knew not where he lived!*

—

It is said that Mr. *Taney* will receive his appointment as one of the associate justices of the supreme court, in the course of a few days.

It is singular that the votes of the two houses concerning our relations with France, are *unanimous*. It speaks to France—and to ourselves. In the senate and the house, no act is contemplated against her. In the latter it is said—"that the treaty of 4th July, 1831, should be maintained, and its execution insisted on,"—as had been said in the former. Every American will accord in this.

This, we hope, will be done. We are willing to bear and forbear—but the time must come when forbearance may cease to be a virtue, if our just claims are not respected; and we shall, with the same unanimity, appeal to force. May not the claim made by *Russia*, on account of Poland, have a direct bearing on this matter? be intended to plunge us into a war with France? It looks very much like it—and if so, should be guarded against.

—

A committee of the corporation of Baltimore has reported that it is expedient to purchase the water rights of the Baltimore water company, and with a prospect of profit. We shall insert the particulars hereafter. It is as it should be.

—

On Friday last week, an attempt was made to set on fire the middle district watch house—while the bell was tolling on account of the interment of the remains of four firemen, killed on the preceding Wednesday night!

A *fourth* attempt was made, on the afternoon of Tuesday, to set fire to the office of the *Baltimore Gazette!* It is thought to be a person well acquainted with the building. He had placed a light in one of the pigeon holes of a pine book case, in a small bed room—which, being discovered, was speedily extinguished.

—

The weather, since Saturday morning, has been, indeed, severe—and the navigation is suddenly blocked up for the *third* time! This is extremely unfortunate, just now. The people's stock of wood is nearly exhausted, and it is very high: congress has risen, and most of the members for the east have wended their way to *Columbia*, the western termination of the Pennsylvania rail road. The steamboat *Carroll*, which left this on Saturday, yet remains at Frenchtown, having landed her passengers.

The steamboat *Relief*, left here on Sunday to look after the *Carroll*, returned to the city on Tuesday, after a perilous passage through the ice. She reports that the upper part of the bay is piled from seven to eight feet thick!—and that for many successive miles she passed through it four inches thick!

The weather is now moderating considerably.

—

There was a *Firemen's Fancy Ball* given in Baltimore, on Tuesday evening last—held at the American theatre. It was numerously attended, and produced a handsome sum in aid of the *Firemen's Fund.*

—

It is a source of great satisfaction that, in regard to the only question concerning our foreign relations, which was presented to congress in the annual message of the president of the United States at the commencement of the session of congress, which has just closed, both houses of congress have been UNANIMOUS. Both have expressed the opinion that the execution of the treaty of 1831 ought to be insisted upon, and both came to the unanimous determination that it was not expedient to carry into effect the recommendation of the president's message in relation to that subject. Such was the direct declaration of the senate, and such the effect of the unanimous vote of the house of representatives, after passing its *declaratory* resolution, to discharge the committee of foreign relations from the further consideration of that recommendation.

We hope, however, that the proceedings of the two houses will not be interpreted, any where, into a disposition to submit quietly to a refusal, by France, to execute the treaty. Such a view of the refusal by congress now to act upon that hypothesis, would be a great error. Congress have expressed a confidence in the good faith of France. They will not *anticipate* any necessity for legislation in reference to this business of the treaty; but they *will* legislate, nevertheless, should it hereafter appear that there is no *intention* to carry the treaty into effect. It does not follow, however—heaven forbid that it should!—that the effect or consequence of that legislation will be *war*. We hope that evil is at least as far distant from us as the next presidential election.

The two houses are thus in concert, in regard to our relations with France. [*Nat. Int.*

—

The reader will perceive by the proceedings in the senate yesterday, that the long threatened and far-famed project of "*expunging*" from the journals of the senate of the last session the vote condemnatory of the conduct of the president in regard to the removal of the deposites, was itself *expunged* from the proposition on that subject, and voted down *almost unanimously*—the original mover himself being amongst those who voted to abandon the idea of "expunging." The remainder of the proposition, after its offensive feature had been thus obliterated, was then nailed to the counter by a vote of 27 to 20. The whole proceeding was curious, but highly honorable to the self-respect and independence of the *senate*. It cannot, however, be properly understood until the debate appears, which will be given without delay. Indeed, one ought to have been present to properly appreciate the effect of this proceeding. [*Ib.*

A letter from Washington says—

The Cumberland road bill which appropriates $346,000 for the repairs, and $300,000 for the extension of that great national highway, passed the house and received the president's signature last evening. This is perhaps one of the most fortunate hits that have been made in the legislature of the present session. It seems almost incredible that the friends of the bill could have succeeded as they did, at so late an hour, and during so warm a contest among the different members, who were all anxious to get at some favorite measure. I understand that the speaker actually signed the Cumberland road bill while the motion for adjournment was pending. Great praise is due to the hon. *A. Stewart* and the hon. *T. M. T. McKennan*, for their unceasing watchfulness and exertions in favor of this bill.

The speaker made a very appropriate and felicitous address at the close of the session.

Great dismay prevails in this city to-day, on account of the bill providing further relief, not having passed the house. Most persons are afraid that we shall now indeed be sold to the Dutch.

—

According to Mr. Southard's report, made to the senate, in relation to the present condition of the city of Washington, its present actual debt is $1,806,422 59 for the discharge of which, "it has not, at this time, means from which it can apply a single dollar." The report goes on to say, that so perfectly exhausted have the resources of the city become, that unless congress gives relief, "it will, very probably, in a short time, be driven to the surrender of its charter." [*Alex. Gaz.*

—

It will rejoice many of our readers to know, that a bill has passed the house of delegates of Virginia, guarantying a loan of *half a million of dollars* for the *Chesapeake and Ohio canal company*, and that strong hopes are entertained that it will also pass the senate of that state.

A bill has also been reported in the house of delegates of *Maryland*, guarantying two millions for the same object, with every reason to expect that it will become a law.

With these prospects, may we not hope soon to be able to lift our heads above the clouds which have so long hung over us. [*Nat. Int.*

—

Marvin Marcy, jr. was this day sentenced as one of the convent rioters at East Cambridge by the supreme court, to three days solitary confinement and to hard labor in the state prison during his natural life. This afternoon about 3 o'clock he was discovered insensible on the floor of his cell. Dr. Hooper was immediately called to his aid. He continued in the same state at 4 o'clock—cause unknown. In the midst of the examination the sheriff came to convey him to Charlestown—he of course was not removed [*Briggs' Bulletin.*

It was, probably, the horror of passing into the state prison that caused this effect on Marcy. He was, certainly, much less guilty than others. A petition for his pardon had been signed by 9,000 persons, among them by bishop *Fenwick* and the superior of the convent; and it was thought that he would be released.

—

Edward Everett, esq. has been nominated as governor of Massachusetts, as well by the whig as the anti-masonic parties, at the ensuing election.

—

Com. *Elliot* has hoisted his broad pendant on board the frigate constitution. A guard of marines have gone on board, and the ship will be got ready for sea as soon as possible.

—

The senate spent some time on Tuesday evening on executive business, and acted on a large number of nominations; amongst many others, the following, we understand, were confirmed:

Edw. Kavanagh, (a member of congress from Maine), to be charge d'affaires to Portugal, in the place of Thos. L. L. Brent.

John G. A. Williamson, of N. Carolina, to be charge d'affairs to Venezuela.

Henry Wheaton, (now charge d'affaires at Denmark), to be charge d'affairs to Prussia.

Jonathan F. Woodside, of Ohio, to be charge d'affaires to Denmark.

Henry Hone, of New York, to be consul at St. Jago de Cuba.

Robert F. Chace, of Mississippi, to be consul at Martinique.

Cheney Hickman, to be a director of the bank of the United States, in the place of Thos. Ellmaker, deceased.

Upton S. Heath, of Baltimore, to be a director of the bank of the United States, in the place of Morris Coxall, rejected by the senate.

Isaac O. Barnes, to be naval officer of the port of Boston.

The nomination of Roger B. Taney, as a judge of the supreme court, was taken up, and indefinitely postponed.

FOREIGN NEWS.

London dates of January 26.

FRANCE.

The *Journal des Debats* (ministerial) has this paragraph deprecatory of war with America:

"We do not hesitate to say that of all the wars practicable or possible for France, the most foolish, the most *gauche*, the most impolitic, that which would cause the loudest laughter at St. Petersburg, Berlin, and the Hague, and which would most afflict all the friends of liberty in Europe, would be a war between France and the United States. Only conceive the cries of joy which the men who labor to resuscitate the party of the holy alliance would utter when they saw France employing the force and the power which she has acquired since the revolution of July in a struggle against the republic of the United States—when they saw these two people, who, in the old and new world, represent the cause of liberty, stupidly warring against each other. What intrigues would be set on foot against us at home, whilst we were occupied against brother freemen abroad."

The *London Times* of the 26th publishes a letter from its Paris correspondent of the 24th, of which the following is an extract:

The claim advanced by the emperor of Russia, as king of Poland, in the name of the grand duchy of Warsaw, against the present government of France, in virtue of a convention for the reciprocal adjustment of claims and counter claims between the two countries, concluded on the 27th of September, 1816, is likely to become a stumbling block in the way of the settlement of the American question, from the fear that is entertained lest the recognition of the one debt should be regarded as a precedent for the acknowledgment of the other.

M. Dupin, the president of the chamber of deputies, has been heard within these few days to express himself very strongly against the ratification of the Washington treaty by the chamber; and the idea seems to gain ground among the members generally that a second refusal may be hazarded without any serious risk of a rupture with the government of the United States. However erroneous this view of the matter may be, after the attitude assumed by the American president in his late message to congress, the fact of its being so generally entertained may possibly lead to very inconvenient results.

Cobbett appears to think that we are in reality going to war with France, and, under this supposition, he breaks out in this strain:

"Now we shall see how real republicans will knock about these despicable subjects of a citizen king! Oh! how I should like to see the raving and stamping and foaming, and to hear the gabblings of the conceited devils, when they get the news of their ships being sunk, or their islands taken. I suppose that they will give in, with some despicable lie about having been deceived. If they do not, Jonathan will pommel them half to death, and make them pay their debt afterwards; and will thus carry another million of the solid across the Atlantic. Nothing can be more infamously unjust than their refusal to pay; and the president, who knows their character, having tried words long enough, is now proceeding to blows, the only species of reasoning which they can be made to understand."

The London *Mercantile Journal* thus speaks of our relations with France. "War does not appear at all probable, as the American congress seem not to have caught the spirit and fire of the president, but resembling a heap of damp fuel that it will be difficult to ignite. A war between America and France would agitate all Europe, shake the foundations of all public securities. But we hope both parties will listen to reason, and be guided by justice, and then we shall have no appeal to physical force, the resort characteristic of brutes brought into opposition and contact. We are bound in a bond of £800,000,000 to keep the peace with all mankind, which is not the case with either France or America—however the latter of which has just extinguished her national debt, and will probably pause before she creates another."

The following is the letter of *M. Hyde de Neuville*, referred to in the French news published yesterday, which it is thought will do injury to the American cause:

"*To the editor of the Echo Francais:*

"*Letang, near Sancerra, Jan.* 15.

"SIR: General Jackson wishes, it appears, to treat the government of Louis Philippe as he has treated the poor Indians. He does not see that France is prepared and prompt to resent an insult offered the country. Gen. Jackson ought to have remembered that there exists a debt—sacred, avowed and recognized by his predecessors, and relating to a great service rendered more than half a century ago to the United States which has never yet been settled. He ought to have known that a treaty has no force or value, especially where money is concerned, unless it has been duly accepted and sanctioned by the different powers whom the treaty affects. Has the president of the union found out also that an arbitrary act is a wise resource of government? Either a great change must have taken place in the United States in the sentiments of the nation, or this strange doctrine is not likely to succeed there. I know not what the American papers may say, but I am certain, beforehand, that they will not acknowledge the dictatorial logic of the first magistrate of the republic.

"The threat of gen. Jackson is, therefore, impolitic, ill-timed and awkwardly made. I know not, moreover, how the affairs of France are at present conducted at the Tuilleries. I will speak only of that which I know: now I do know positively that never, under the empire, or under the restoration, has there been any question of such a treaty? I know that under the restoration it never entered the head of the president of the union to address such a message; I know that at that time the king of France was respected, his friendship conferred honor, and his good offices, his wise and powerful mediation were sought after; I state nothing that I cannot prove. This affair of the United States is a most serious one: it is not a question of party, but of country; the 25 millions are only of secondary importance; a commercial interest of an importance widely different governs the question. Let my correspondence be read which was printed at Washington, and communicated to the senate, (which, I am of opinion, must have been laid before the committee who last year were charged with the task to examine this treaty), and it will be seen what a sacrifice the treaty imposes on France, and what advantage it insures to the English. I repeat that the question now mooted is entirely national. Government, like private persons, are equally called on to pay their debts; by doing so, they not only honor but enrich themselves; for, to nations, as well as to individuals, good faith is an inexhaustible source of credit, and credit an inexhaustible source of riches.

But we must first examine, and well examine, if the debt is real, and, under all circumstances, not sacrifice to the interest of passion, or of the moment, the interest of the future, when this interest of the future has cost so much, and when, as we have resigned ourselves to such enormous sacrifices, in order to render it durable; governments pass away, men die, but badly devised treaties remain. I will, therefore, give all the information necessary to enlighten my fellow citizens. The Americans do not desire it from me. With them, country absorbs every other consideration. They know me, and they esteem me; I will not lose a jot of their good opinion, and, isolated as I am by the revolution of July, I will continue to give proofs of a patriotism which nothing can weaken. I am persuaded that I owe this loyal publicity to my country, which I love above all things, and the United States, which I consider as a second country. I will moreover, go so far as to say, that the rejection of this treaty will, perhaps, be useful to both countries. I shall be understood on the other side of the Atlantic. I address this letter to you, Mr. Editor, and to you only, in order to show you that I do not in any manner, make this great question a question of party; the journalists of all shades of generous opinions will concur with me. I am, sir, &c.

"HYDE DE NEUVILLE, *ex-deputy, and formerly "minister to the United States."*

GREAT BRITAIN.

Returns have been received of the election of 628 members of parliament, who are classed as follows:

Reformers,	357
Tories,	256
Doubtful,	15
Majority of reformers,	101

The total gain for the tories, is estimated at 52.

The London Courier of the 24th, states that on the preceding day, war risks were effected at Lloyd's, on ships and cargoes for French account, which have previously been insured as regards the sea risk only, in France, for the term of three months to come at the advanced rate of three per cent. premium.

Madame Malibran. We mentioned yesterday the report that this lady had been stabbed while returning from an opera house in Italy. In another paper we find an account of a singular adventure which befel her on her journey through Italy.

The people of Arezzo learning her arrival at that place, refused to let her pass on her journey until she had sung for them, from the balcony of the inn. She refused, declaring she could not and would not. A *gentleman robber* then emerged from the crowd, presented a pistol at her, and urged his claim upon the fair songstress. She wept with agitation and anger, but the mob still continuing inexorable, her courier, [who proved to be De Beriot, her husband], went to the carriage, brought out his violin, and amused the audience in the street with an exquisite performance, until Malibran had wiped her eyes and recovered her voice. She then sung a cavatina in her very best manner, and received louder applause than she had ever before met with in Europe or America. The delighted Arezzians then harnessed themselves to her carriage, and dragged her on her road for several miles. [*Times.*

TWENTY-THIRD CONGRESS—SECOND SESSION.

SENATE.

February 27. Mr. *Ewing* rose and said, that at the last session, his colleague (Mr. *Morris*) presented to the senate certain resolutions, adopted by the legislature of the state of Ohio, against the recharter of the U. S. bank, sustaining the course of the administration, and opposing the passage of the bill to appropriate, for a limited time, the proceeds of the public lands. Those resolutions were read, laid on the table, and ordered to be printed. He had now the duty to perform of presenting certain resolutions, recently adopted in the legislature of Ohio, rescinding the resolutions presented at the last session. He moved that these resolutions also be read, laid on the table, and ordered to be printed. The motion was agreed to.

After Mr. *Benton* had spoke a considerable time in defence of his motion to expunge—the senate took up the following bills:

The bill to regulate the deposites of the public money in the state banks, having been taken up—

Mr. *Bibb* said he desired to change his vote in regard to this bill, on the ground that he could not approve of the provision relative to the amount of specie these banks should be required to have in their vaults. And he did not feel himself at liberty to give any vote that might seem to sanction the late unconstitutional removal of the deposites from the bank of the United States.

Mr. *Ewing* admitted there was much force in what was said by the gentleman from Kentucky, but he did not think that the present act of legislation went to sanction the removal of the deposites.

On motion of Mr. *Black*, the yeas and nays were demanded on the passage of the bill, and were taken as follows:

YEAS—Messrs. Benton, Black, Calhoun, Cuthbert, Clayton, Ewing, Frelinghuysen, Goldsborough, Kent, Knight, Leigh, Linn, McKean, Mangum, Moore, Porter, Prentiss, Preston, Robinson, Robbins, Swift, Smith, Southard, Tomlinson, Tyler, Waggaman, Webster, White—28.

NAYS—Messrs. Bibb, Brown, Buchanan, Hendricks, Hill, Kane, King, of Ala. Morris, Poindexter, Ruggles, Shepley, Tallmadge—12.

So the bill was *passed*.

On the motion of Mr. *Clay*, and by unanimous consent, the bill farther to continue the commission for carrying into effect the convention with France, was read a third time and passed.

The resolution of Mr. *Benton* was then again taken up, and

Mr. *Southard* addressed the senate for upwards of two hours, in reply to the arguments adduced by Mr. *Benton*, and in opposition to the resolution. When he concluded—

On motion of Mr. *Preston*, the resolution was laid on the table.

Many bills were referred.

February 28. Mr. *Ewing* rose, and spoke concerning the address of *O. B. Brown*, which appeared in the "Globe"—and Messrs. *Grundy*, *Robinson* and *Clayton* responded. [This shall appear hereafter.]

A number of bills were reported.

Mr. *Preston*, pursuant to notice given, moved that the senate proceed to the election of printer to the senate,

Mr. *Clay* said, that a few days ago, he had suggested that they had better not proceed to the election of a printer until the other house had moved in the matter.

Mr. *Benton* asked the consideration of the joint resolution to repeal the existing joint resolution which provides for the election of a printer to each house.

After a few words from Mr. *Preston* and Mr. *Poindexter*, Mr. *Wright* asked for the yeas and nays on now proceeding to the election of printer, and they were ordered.

The question was then taken, and the yeas and nays are as follows:

YEAS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Goldsborough, Hendricks, Kent, Knight, Leigh, Mangum, Moore, Naudain, Poindexter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Swift, Tyler, Tomlinson, Webster—27.

NAYS—Messrs. Benton, Brown, Buchanan, Cuthbert, Grundy, Hill, Kane, King, of Georgia, Linn, McKean, Morris, Robinson, Ruggles, Shepley, Tallmadge, Tipton, White, Wright—18.

Mr. *Benton* protested against going into an election at that time for the printer for the next congress.

Mr. *Preston* replied at some length, contending that they had a right to elect a printer then. They were justified, indeed required, to do so by the resolution of '29, which sanctioned the one that was passed in 1819.

After a few words in reply from Mr. *Benton*, and a rejoinder by Mr. *Preston*.

Mr. *Benton* moved to postpone the election, and asked the yeas and nays; which were ordered.

The question was then taken, and decided as follows:

YEAS—Messrs. Benton, Buchanan, Grundy, Cuthbert, Hill, King, of Georgia, Kane, Linn, McKean, Morris, Robinson, Ruggles, Shepley, Tallmadge, Tipton, White, Wright—18.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Goldsborough, Hendricks, Kent, Knight, Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Southard, Swift, Tomlinson, Tyler, Waggaman, Webster—28.

Here followed 15 ballots. Mr. Green began with 15 and ended with 7—Messrs. Blair & Rives with 13 and ended with 15; Messrs. Gales & Seaton with 12 and ended with 22. After the 15th ballot, Mr. *Wright* moved that the ballot be indefinitely postponed—negatived; for it 18, against it 29. The senate resumed the ballot, and three were had—on the 3d, the vote stood, Gales & Seaton 27, Blair & Rives 14, Duff Green 3, W. A. Rind 2, blank 1. So Gales & Seaton were elected printers to the senate.

The senate took a recess until 4 o'clock, and then went into session; and a great number of bills were passed, a few postponed, and others laid on the table.

March 2. Mr. *Webster* reported the bill from the other house making appropriations for Indian annuities, with amendments, which amendments, together with one moved by Mr. *Tipton*, were agreed to, the amendments ordered to be engrossed, and the bill, as amended, was subsequently passed and returned to the other house for concurrence in the amendments.

Mr. *Ruggles* presented the resolutions of the legislature of Maine, approving the president's conduct, and praying the vote of censure of last session to be expunged—laid on the table.

The resolution directing each member of the senate to be supplied with a copy of the 9th volume of the "Register of Debates," was, after discussion, laid on the table by the casting vote of the vice president.

The general appropriation bill being taken up for consideration, the question being on the amendment striking out an appropriation for a minister to Great Britain.

Mr. *Webster* explained that the committee saw no reason for making this appropriation, as no minister had been nominated, and the appropriation, therefore, might be postponed until the next session.

Mr. *Wright*, dissenting as a member of the finance committee, asked for the yeas and nays on the amendment, which were ordered.

A discussion took place, in which Messrs. *Clay*, *Clayton*, *Buchanan*, *Wright*, *Webster*, *Bibb*, *Calhoun* and *Tyler* took part.

Mr. *Webster* then moved to amend the clause, so as to provide that the outfit and salary should not be paid except to a minister appointed by and with the advice and consent of the senate first had and obtained. Mr. *Webster* asked for the yeas and nays, which were ordered.

After some discussion, the question was taken and decided as follows:

YEAS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Goldsborough, Hendricks, Kent, Knight, Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Swift, Tomlinson, Waggaman, Webster,—28.

NAYS—Messrs. Benton, Brown, Buchanan, Cuthbert, Grundy, Hill, Kane, King, of Alabama, King, of Geo. Linn, McKean, Morris, Robinson, Ruggles, Shepley, Tallmadge, Tipton, Tyler, White, Wright—20.

So the amendment was agreed to.

There was another amendment proposing to strike out the outfit for a minister to Spain; but, as Mr. *Wright* said a vacancy was expected, the minister there having obtained leave to return, Mr. *Webster* said he would not press the amendment, and it was negatived without opposition.

Mr. *Wright* moved to amend the bill, by introducing a provision, placing collectors, surveyors, naval officers, &c. on the footing in which they had been placed ever since the act of 1832.

At this state, by unanimous consent—

On motion of Mr. *Clay*, the senate took up the bill concerning the distribution of the Spanish fund, which was read a third time, amended and passed. [The bill, as amended, refers the duty to the attorney general instead of commissioners.]

On motion of Mr. *Porter*, the joint rule, which prohibits the sending of bills to the president on the last day of the session, was suspended.

On motion of Mr. *Webster*, the senate took a recess until 5 o'clock.

Evening session, March 2. The senate resumed the consideration of the general appropriation bill, the question pending being on Mr. *Wright's* amendment concerning the collectors, surveyors, naval officers, &c. which amendment, after discussion, was adopted, yeas 23, nays 22.

Mr. *Webster* moved to amend the bill by adding to it three bills which passed the senate on Friday, and had not been sent to the house, viz: the bill relative to Virginia scrip—the bill relative to Louisiana scrip, and the bill making appropriations for certain roads; which motion was agreed to, the amendments ordered to be engrossed for a third reading, and the bill was afterwards passed and sent to the house of representatives for concurrence in the amendments.

The bill to render permanent the mode of supplying the army, and fixing the salaries of clerks in the commissaries' offices, was read a third time and passed.

The bill from the house making appropriations for the completion of the Delaware breakwater, and the improvement of certain harbors; and the light house bill, were reported from the committee of commerce with sundry amendments, which amendments were concurred in, and the bills passed and sent to the other house for concurrence in the amendments.

Several private bills having been read a third time and passed,

The senate proceeded to the consideration of executive business, and when the doors were reopened the senate adjourned, it then being a quarter past 11 o'clock.

March 3. The annual report on commerce and navigation was ordered to be printed.

On motion of Mr. *Webster* the committee on finance were respectively discharged from the further consideration of a resolution directing them to inquire into the legal effect of the treasury circular to the land offices, the committee not having had time to act on the subject; and from the further consideration of the subjects referred to that committee for their action during the recess.

On the subject of the currency, a mass of materials had been collected, but it had been found impracticable to put these materials in a shape which would be worthy of the consideration of the senate. It was the intention of some members of the committee of finance to bring the subject before the senate at the next session. There was also another subject referred to the committee, concerning the dealings of the United States bank in bullion. A correspondence had been carried on with the United States bank, and a report will be made by that committee as soon as practicable. At present, the necessary returns had not been received from the branches.

Mr. *Webster*, in moving to discharge the committee of finance from its unfinished business, said he would take the opportunity to say that he had understood that, in the paper of this morning, usually esteemed the official paper, a denial had been given to the statement made by him the other day, respecting an occurrence at one of the deposite banks. He certainly did not wish to bring individuals, or particular institutions, before the public unnecessarily, as objects of comment or remark. His object had been merely to state the fact, which he was sure was quite true, and to induce the senate, by proper provision, to guard against its recurrence. That object had been answered. But there were gentlemen around him who were friendly to the administration, and supported its measures; and if either of these gentlemen would take the responsibility of asking for names, he would give names, and dates, and sums, and every particular of the transaction. But he should not do this, merely by way of reply to a newspaper paragraph. Names, dates, sums and circumstances, were all at the service of any gentleman of the senate who would please to have them. He has but to ask for them, and they are ready.

Mr. *Tallmadge* said, in regard to any disclosures which the senator might have it in his power to make concerning any of the deposite banks, as he knew nothing on the subject, it was not for him to make any request to the senator on the subject of making them public.

Mr. *Benton* said he had been struck with the circumstance when it was stated by the senator from Massachusetts, in such a manner as to demand credit. He did not ask for names or for degrees. If there was any thing which he abominated, loathed, and detested, more than another thing, it was these current notes. If any thing of the character charged had been done by any deposite bank, he should be inclined to act against such bank, with even more perseverance than he had acted against the United States bank.

Mr. *Clay*, from the committee on foreign relations, made a report on the message of the president of the 25th ult. which report was laid on the table, ordered to be printed, and the committee discharged from the further consideration of the subject.

Mr. *Mangum* asked leave to send to the clerk's table the resolutions of instructions of the legislature of N. Carolina, and wished the senate to indulge him in having them read. He said it was not his purpose to detain the senate by comment upon them. This was not the arena upon which to discuss and adjust any difficulties that had arisen, or that might arise, between his constituents and himself. He would not detain the senate longer than to express the hope that the *expunging resolutions* would be taken up in the course of the day, and that he would be allowed to record his vote upon them.

In reference to the instructions, he would avail himself of the occasion barely to say that he should not conform to them. He should vote against expunging the resolution. The legislature had no right to require him to become the instrument of his own personal degradation He repelled the exercise of so vindictive a power; and, when applied to himself, he repelled it with scorn and indignation.

The members of the legislature were servants and representatives of the people; he Mr. M. was likewise one. That they were disposed to guard with jealousy the honor of the state it was not his province to discuss or to question. He likewise felt it his duty to guard the honor of the state, and not less to guard his own personal honor; both, in his conception, imperiously required him to disregard the resolutions; and, that point being settled in his mind, he trusted no one who knew him could entertain a doubt as to his course on the subject.

Messrs. *Frelinghuysen*, *Calhoun*, *King*, of Alabama, *Mangum*, *Clayton* and *Benton*, made some observations, when,

On motion of Mr. *Clayton*, the subject was laid on the table.

Mr. *Grundy* presented the accounts of the general post office, as made up by the accomptants employed by the committee on the post office and post roads, and they were ordered to be printed.

Mr. *Clayton* moved to take up the resolution of Mr. *Benton*, to expunge from the journal of the senate the resolutions of the 28th March last, and it was taken up.

Mr. *White* moved to amend the resolution by striking out the word "*expunged*" and substituting "*repealed, rescinded, and declared null and void*," and asked for the yeas and nays which were ordered.

Mr. *King*, of Alab. moved to strike out the words from the original resolution, "ordered to be expunged from the journals of the senate," which motion prevailed, yeas 39, nays 7.

Mr. *Webster* then rose and said, the vote, the great vote, which the senate has now given, has accomplished all that I have ever desired respecting this expunging resolution.

The resolution of the senate of the 28th of March, which it has been proposed to expunge from the journals, asserted the proposition that the conduct of the president, in relation to the public revenue, had been unconstitutional. Now, this proposition might be true, or not; it was a matter on which gentlemen voted on both sides. It implies, doubtless, a power in the senate to express an opinion on the conduct of the president, and there may always be some who deny or doubt that power. It would have been perfectly in order, at any subsequent time last session, or at any time this, to have brought forward resolutions declaring that the senate has no such power. We must have met the resolutions, debated them, and voted on them. If they had passed, they would of course have stood in contradiction to the preceding resolutions; and all that could have been said is that the senate had passed inconsistent resolutions. Propositions, it is possible, may be made hereafter, in contradiction to the principles of the resolution of March. These things must be expected, and must be met when they arrive. But that which made this resolution, which we have now amended, particularly offensive, was this: it proposed to expunge our journal. It called on us to violate, to obliterate, to erase, our own records. It was calculated to fix a particular stigma, a peculiar mark of reproach or disgrace on the resolution of March last. It was designed to distinguish it, and reprobate it, in some especial manner. Now, sir, all this, most happily, is completely defeated by the almost unanimous vote of the senate which has just now been taken. The senate has declared, in the most emphatic manner, that its journal shall not be tampered with. I rejoice most heartily, sir, in this decisive result. It is now settled, by authority not likely to be shaken, that our records are sacred. Men may change, opinions may change, power may change, but, thanks to the firmness of the senate, the records of this body do not change. No instructions from without, no dictates from principalities or powers, nothing—nothing—can be allowed to induce the senate to falsify its own records, to disgrace its own proceedings, or violate the rights of its members. For one, sir, I feel that we have fully and completely accomplished all that could be desired in relation to this matter. The attempt to induce the senate to expunge its journal has failed, signally, and effectually failed. The record remains, neither blurred, blotted, nor disgraced.

Now, sir, as to the principles involved in that resolution, I am willing to discuss them at any suitable time hereafter. At present there is no leisure for such discussion; and the senate having now, by so large and decisive a vote, expunged whatever was offensive in the expunging resolution, and there being no time for further discussion, I shall conclude by a motion, which I forwarn friends and foes that I shall not withdraw, which is, that the resolution be laid on the table.

Upon this motion, without farther debate, the yeas and nays were taken, as follows:

YEAS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Goldsborough, Kent, Knight, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Swift, Tipton, Tomlinson, Tyler, Waggaman, Webster—27.

NAYS—Messrs. Benton, Brown, Buchanan, Cuthbert, Grundy, Hill, Kane, King, of Alabama, King, of Georgia, Leigh, Linn, McKean, Moore, Morris, Robinson, Ruggles, Shepley, Tallmadge, White, Wright—20.

So the resolution was laid on the table.

On motion of Mr. *Ewing*, the senate proceeded to consider the bill from the house amendatory of the act for the continuation of the Cumberland road, and it was finally passed.

After some other proceedings, the senate took a recess till 5 o'clock.

HOUSE OF REPRESENTATIVES.

Friday, *Feb.* 27. Some other business being attended to—

Mr. *Cambreleng*, from the committee on foreign relations, made the following report; which was read:

"The committee on foreign affairs, to which was referred so much of the president's message as concerns our political relations with France, and the correspondence between the ministers of the two governments, submits the following report:

"At an early period of the session the committee took into consideration the question of authorising reprisals, and continued from time to time to discuss various motions and resolutions, submitted by its different members. They could, however, concur in no proposition; and, in that condition, a majority deemed it expedient to postpone their decision till further intelligence should be received from France. The committee had, within the past week, twice instructed its chairman to report resolutions, but the arrival of additional intelligence caused a suspension of these reports until an official communication should be received from the executive. That communication places the relations between the two countries in a novel and interesting position. While there is satisfactory evidence that the French government earnestly desires that the appropriation for indemnity should be made in pursuance of the stipulations

of the treaty; and while there is reason to hope that the chamber of deputies will adopt that measure, and faithfully discharge the obligations of France to the United States; it is, on the other hand, to be feared that the conduct of that government has placed us in a position at least embarrassing, even should it not produce an entire suspension of diplomatic intercourse between the two nations. In this new position of our relations, it is deemed expedient to dispense with further discussion on the subject of non intercourse with, and reprisals on the commerce of, France, to which the attention of the committee had been directed, and to leave the question of our political relations with that government to the next congress, whose action will no doubt be governed by the course which France may deem it expedient to pursue. We are not yet informed what may have been the decision of the king of the French as to the dismissal of our minister, nor can we conjecture what may be the fate of the appropriation in the chamber of deputies.

"While the committee is unwilling to anticipate any but an amicable and favorable result in both cases, it must be recollected that the king and chamber may decide adversely to the interests and harmony of the two nations. Such a decision on the part of France, however it may be regretted by the people of both countries, who have great and growing interests, commercial and political, to cherish, may lead to a result upon which the committee, while in doubt, and while a hope remains, will not enlarge.

"The committee is, therefore, of opinion, that, at such a crisis, when events may occur which cannot be anticipated, and which may lead to important consequences in our external relations, it would not discharge its duty to the country, if it did not express a firm resolution to insist on the full execution of the treaty of 1831, and if it did not recommend to the house a contingent preparation for any emergency which may grow out of our relations with France previous to the next meeting of congress. It is a gratifying circumstance that our means are adequate to meet any exigency without recourse to loans or taxes. The bill now before the house authorising the sale of our stock in the bank of the United States would, if adopted, afford all the revenue necessary. The committee is of opinion that the whole, or a part, of the fund to be derived from that source, should be appropriated for the purpose of arming our fortifications, and for making other military and naval preparations for the defence of the country, in case such expenditures should become necessary before the next meeting of congress.

"The committee, therefore, submits the following resolutions for the consideration of the house:

"*Resolved*, That it would be incompatible with the rights and honor of the United States, further to negotiate in relation to the treaty entered into by France, on the 4th of July, 1831, and that this house will insist upon its execution, as ratified by both governments.

"*Resolved*, That the committee on foreign affairs be discharged from the further consideration of so much of the president's message as relates to commercial restrictions, or to reprisals, on the commerce of France.

"*Resolved*, That the contingent preparation ought to be made to meet any emergency growing out of our relations with France."

Mr. *Edward Everett* asked permission of the house to submit the views of the minority of the committee in a report. As it was somewhat long, he would not call for its reading at this time. The minority did not, he said, essentially differ in their views of the subject from the majority; but on one or two points they did not fully concur with the majority, and they had thought it proper to take a more full and historical view of the subject than had been taken by the majority.

Mr. E. then presented the following as the views of the minority of the committee:

The undersigned, members of the committee on foreign affairs of the house of representatives, beg leave to submit to the house, in the following manner, their views of that part of the president's message, at the beginning of the session, which relates to the failure of France to execute the convention of the 4th of July, 1831, and of the messages and documents, on the same subject, which have been since referred to them.

The undersigned are deeply impressed with the delicacy and importance of the subject. They regard it as one of the most momentous ever submitted to the decision of the house. At an early period of the session, a proposal was made, in committee, that a bill should be reported, authorising reprisals against France in the event that an appropriation should not be made by the French chambers, this winter, to carry the treaty into effect, with a power reserved to the president, to arrest the reprisals should he deem it expedient. That proposition was negatived by a large majority of the committee, of which majority the undersigned formed a part. It is unnecessary, in this place, to state the considerations which induced the undersigned to oppose this measure. They will only observe that, as intelligence had already been received that the meeting of the French chambers had been ordered a month earlier than the period to which it stood adjourned, it seemed peculiarly desirable to the undersigned to forbear every measure, which might throw obstacles in the way of the unprejudiced action of the chambers. For this reason, also, the undersigned were of opinion that, as soon as the sense of the committee had been thus ascertained against authorising reprisals, it was expedient to report a resolution to that effect to the house, setting forth, in a conciliatory manner, the grounds of such a resolution, but maintaining also, in the strongest terms, the obligation of the treaty. In this, however, they were overruled by a majority of the committee, who declined adopting a resolution to that effect.

At a subsequent period, a motion was made, in committee, to reconsider the vote by which the resolution authorising reprisals had been rejected. A majority of the committee, and the undersigned among the number, were opposed to the reconsideration. But a renewed motion to report a resolution, in accordance with the sense of the committee, that it was inexpedient to authorise reprisals, again failed. Believing that the majority of the house would have sustained the majority of the committee in the opinion that it was inexpedient to authorise reprisals at this time, the undersigned regret that an opportunity had not been afforded the house, at an early stage of the session, of expressing that opinion on a report from the committee; as they conceive such a course, taken in connexion with a similar course pursued by the senate unanimously, would have had a salutary effect abroad.

But the undersigned are not disposed unnecessarily to dwell on these points. They regard them as minor differences of opinion on a great subject, whose leading nature must be felt and understood alike by all. On the justice of the American cause, in the matter in dispute between France and the United States, the undersigned are happy in the belief that there is but one opinion among their fellow citizens. If differences exist as to the proper measures to be pursued to obtain the justice which is due alike to the citizens and the government of the United States, it is to be ascribed to the inevitable diversity of judgment on great and difficult questions. It may with truth be said, perhaps for the first time in the history of great national disputes, that there is but one opinion in the United States as to the grounds of the controversy between the two countries. The undersigned ardently hope that this auspicious unanimity, as to the origin and character of our complaints against France, will extend also to the measures adopted for obtaining satisfaction.

The controversy between the two countries is too familiar in its origin and history, to require a minute survey. A few leading points may be briefly alluded to. A long series of outrages and depredations on our neutral commerce was terminated by the convention of September, 1800. Nothing short of a force of circumstances, deemed imperative, would have induced the United States to acquiesce in the conditions of that convention. Unsatisfactory as they were at the best, a portion of its stipulations have never, to the present time, been fulfilled. The property, of which restitution, or the payment of the equivalent, was stipulated by the fourth article of that treaty, has never, to this day, been restored nor paid for: and, having been pretermitted in the arrangements of the Louisiana convention of 1803, is still included among the claims against France. But the great portion of the claims provided for by the convention of July, 1831, had their origin in the spoliations committed on our commerce, under what has commonly been called the continental system of the late emperor of France. By way of enforcing that system, certain decrees were promulgated, subjecting American vessels to capture and condemnation, for reasons wholly unsanctioned by the law of nations; and, as if sufficient injury and outrage were not inflicted by these decrees, when regularly applied according to the usual forms of admiralty procedure, great depredations were committed on American commerce, without even the pretence of any warrant of public law. French squadrons were instructed to burn any American vessel they might encounter at sea. Vessels and cargoes, seized under the Berlin and Milan decrees, were confiscated, both before the existence of those decrees was known, and after they were repealed; and vessels and cargoes, sequestered in the ports of Holland and Spain, were sold without trial, and the proceeds deposited in the French treasury.

The general pretence on which these measures were founded, was as groundless and injurious as the measures themselves were illegal and violent. It was pretended that France was authorised to resort to them, by the failure of the United States to cause their neutral rights to be respected by Great Britain. This pretence was in direct and notorious contradiction of the fact, that the United States were exerting themselves to the utmost to compel Great Britain to desist from her aggressions on our commerce; and, from the first commencement of those aggressions, pursued a course of policy, which eventually terminated in the extreme measure of war. Had the course of the United States been less clear and unexceptionable in this respect, it is unnecessary to state that it would have furnished no justification to the unprecedented acts of violence committed by the government of France on the commerce of America. To pretend that the vessels of a neutral power are denationalized, and, as such, subject to capture by one belligerent, because they have been spoken or boarded by another, and on the ground that the neutral has not sufficiently vindicated his rights against that belligerent, is as destitute of warrant in the law of nations, as it is of foundation in justice or common sense. In fact, the undersigned need not characterize the policy of the French emperor more strongly than he did himself, when he called it "a revival of the barbarity of the dark ages."

To these violent, injurious, and offensive measures of the imperial government, the United States opposed a steady course of counteractive but pacific measures, accompanied with the most earnest remonstrances and appeals to the justice of France. These appeals were at length, by the force of events, rendered efficacious. A prospect of satisfaction was held out. Not only

were the obnoxious decrees repealed, and the illegal captures suspended, but indemnity was promised for the losses which had been sustained. Mr. Barlow was invited by the French minister to repair to the head quarters of the imperial army in Russia, with a view to the settlement of the points of difference between the two countries. His death in Poland, and the subsequent disastrous events of the campaign, prevented the pursuit of the negotiation.

It was renewed under his successor, Mr. Crawford. The duke de Vicenza was directed by the emperor to prepare a report on the subject of the American claims. This report was presented to the emperor on the 11th of January, 1814. The principle assumed was, that no indemnification ought to be made for vessels seized under the Berlin and Milan decrees; but that it was due for vessels seized after the 10th of November, 1810, when the decrees were revoked in favor of the Americans; for vessels which were seized at a time when no notice had been received of the decrees; for vessels destroyed at sea; and for those seized at St. Sebastian's. These were estimated to amount to about thirteen millions of francs, viz:

Class the first	1,800,000 francs.
Class the second	1,700,000 "
Class the third	2,200,000 "
Class the fourth	7,000,000 "
	12,700,000 "

These amounts were estimated on lists of the vessels, and sales furnished by the department of commerce. "But," adds the report of the duc de Vicenza, "as it may be admitted that the prices are generally below the real value, and as these lists are not yet complete, it may be supposed that the indemnifications to be granted will surpass this sum, and may be stated at about eighteen millions of francs." Here the undersigned pause for a moment to remark on the extent of the admissions made by the imperial government of France, in January, 1814. It was then admitted that, for the four classes of cases named, indemnity was justly due; and that, under these heads, the sum payable was, on the lists and estimates furnished, about 13,000,000 of francs; but that, as the lists were incomplete, and the estimates doubtless low, about 18,000,000 francs might be considered due. Let it be remembered, then, that this is an *ex parte* estimate, made entirely without the concurrence of the claimants, or even of Mr. Barlow, who, on the contrary, rated the losses suffered by American merchants at 70,000,000 francs; that it does not include the Antwerp cases, perhaps the strongest of all; that it is confessedly a low estimate, derived from official returns of forced sales, and where every inducement existed to underrate the value of the property, for the sake of lessening the amount of duties payable; and, finally, that it is a debt acknowledged to be due twenty years ago, and on which, consequently, a fair claim for interest exists, (itself amounting, for twenty years, to 21,600,000f); let all this be remembered, and who will deny that twenty five millions of francs, payable at this time, are a very moderate, not to say inadequate remedy, on principles acknowledged to be correct by the French government? If, to all these considerations, be added, that the captures and condemnations under the Berlin and Milan decrees, were, under the law of nations, to the full, as unwarrantable as the destruction of property at sea, who can deny that the American government, in accepting 25,000,000, by the treaty of 1831, gave a signal proof of moderation, and, if liable to censure in any quarter, it was on the part of the claimants, receiving so small a portion of their just demands?

The downfall of the French empire, of course, arrested the progress of the negotiation with the U. States. It was resumed with the government of the restoration. Mr. Gallatin, our minister at that time in France, was instructed to urge the claims on the French ministry. France was, at that time, severely burdened by the amount of the indemnities which she was bound to pay, by the treaties contracted with the allied sovereigns of Europe. The minister of France (at this time the duc de Richelieu) appealed to the considerate feelings of the American government, not to press its claims when they would be peculiarly onerous to France; and this appeal was successful. It has now recently been pretended, against the force of the precedent of indemnification set by the payments to the great European powers on the restoration of the Bourbons, that they were of the character of military contributions made to governments, and bore no resemblance to the reimbursement claimed by citizens of the United States. That they may have been, in part, of the character thus pretended, is not denied; but that provision also was made for the payment of claims of a character *identical* with those for which indemnification has so long and so injuriously been withheld from American citizens, might, if the limits of this report admitted, be proved by specific instances.

At the earnest request of the French minister, the American claims, as has been observed, were postponed. It was understood, however, and stated by the minister, that this postponement was not considered by him as a rejection. At length, after four year's delay, and when France had recovered from the exhaustion of European indemnities, the American claims were modestly preferred. They were sustained with equal perseverance, skill, and force, by Mr. Gallatin, in his correspondence with several persons who successively filled the place of ministers of foreign affairs. Of several of his applications no notice was taken; to some of his letters no answers were returned; and his efforts seemed to have been wholly unsuccessful, though marked with an ability not surpassed in diplomatic history. The first plea was positive inability. This was backed by the general argument of not being responsible for the acts of the imperial government. When the former excuse had happily ceased to have a foundation in fact, and the latter had been demonstrated to have no warrant in public law, the claim for indemnities was most unjustly attached to the controversy relative to the commercial intercourse between the two countries; and that being disposed of, the construction of the eighth article of the Louisiana treaty was brought up, as a still more effective ground for delay.

By the 8th article of the Louisiana treaty, it was stipulated that French ships should forever be admitted into the ports of Louisiana on the footing of the most favored nation. At a period when, in consequence of a series of duties, all but prohibitory on American vessels in France, similar tonnage duties were laid on French vessels in America, France set up the extravagant pretension, that her ships should be admitted free of tonnage duty in New Orleans, because English vessels were so admitted there, as in all the other ports of the United States, in virtue of the commercial convention between America and Great Britain, by which the discriminating duties on both sides were abrogated. The extravagance of this pretension—apparent on its face—becomes more so when it is reflected that, at the time it was brought forward, it would have driven all the trade between the two countries into French vessels, and into the single port of New Orleans. The unreasonableness with which it has been urged, as a bar to the satisfaction of the claims, is seen in the consideration that, by the commercial convention between France and the United States, of 1822, France actually enjoys this "favor" (if a purchased exemption can so be called) on the same terms on which Great Britain and all other nations enjoy it. It may be further added, in illustration of the spirit with which this obstacle has been thrown in the way of the settlement of the controversy, that the stipulations in favor of America, by the 4th article of the convention of 1800, have (as has been already stated) remained unsatisfied by France to this day.

Nevertheless, this monstrous pretension was fastened on the question of payment of indemnity, and could not be shaken off. At length, in 1827, by the operation of the commercial convention between the two countries, the discriminating duties on both sides expired. As a practical question, nothing remained but the amount of indemnity to which the French navigators might be entitled for the burdens laid on their tonnage, for the few preceding years; and, as a question of abstract right, it seemed difficult to make a serious affair out of the difference between an abolition of discriminating duties under the treaty of April 30, 1803, or the convention of June 12, 1822. Weary of the obstacles which this question threw in the way of the justice due to our citizens, it was determined by the president of the United States (Mr. Adams) to make an effort to remove it, by an offer to submit the question thus narrowed down, to arbitration. On this new basis, the negotiation was resumed by Mr. Brown. On the return of this gentleman to America, the attempt was again made by his successor, Mr. Rives, on a basis substantially the same, to bring the French government to the performance of its duty. The negotiation was carried on by this minister with great diligence, perseverance and vigor, and brought, in his judgment, to a state promising a speedy and satisfactory arrangement. The prince de Polignac, at this time the head of the French ministry, is stated by a deputy in the debate in the French chambers on the execution of the treaty, to have cautioned his successors, after the revolution of July, to beware how they paid the American claims; inasmuch as "he had investigated them, and found nothing was due." Whether this discreditable sentiment is to be ascribed merely to perturbation of mind and confused recollection, (as charitably intimated by the French minister of foreign affairs, in reply to the statement), or whether the prince de Polignac had really been guilty of duplicity towards our minister, the undersigned are not called on to decide. At all events, the revolution of July, 1830, found the American claims unsatisfied.

With that auspicious event, a more promising aspect of the negotiation presented itself; but one not unincumbered with difficulties.

The government of July admitted the obligation of France to make indemnity for the wrongs done under the government of Napoleon. As a government founded on popular choice, it felt a sympathy with that of the United States, not to be expected on the part of the fallen family. Besides this, great influence was possessed, in the new government, by individuals supposed to be animated by friendly sentiments towards the United States. Such was believed to be the case on the part of his majesty the king of the French; such, of course, was the case with general Lafayette. But, on the other hand, a portion of the government of July maintained the validity of the Berlin and Milan decrees; although the titles or chapters of the law of nations, which give the slightest sanction to those outrageous decrees, have never been pointed out. France, at this period, represented herself embarrassed in the state of her finances, and her popular institutions were alleged to create obstacles to the consummation of treaties imposing pecuniary burdens.

Such were the difficulties, as well as the facilities, existing in reference to the negotiation of the convention. The points of embarrassment were the amount of the claims justly due, and the unhappy question of the interpretation of the eighth article of the Louisiana treaty. A sum as low as twelve millions

of francs was named by the French commissioners charged to investigate the subject, and seventy millions was stated by Mr. Rives as the amount to which the just claims of his fellow citizens undoubtedly extended. The sum of 25,000,000 was, at length, accepted by Mr. Rives, as being evidently the *maximum* to which the French ministry could be brought. The claim under the eighth article of the Louisiana treaty was considered as offset, by an important reduction of the duties on French wines for ten years, to the effect of giving them a discrimination over those of all other countries. France also stipulated, at the same time, to equalise the duties on long and short staple cottons, which, it is believed, has been so far done, that a royal ordonnance has been issued, admitting those two species of cotton into France, from all countries, on one and the same duty. In payment of claims of citizens of France, principally the Beaumarchais claim, a sum of one million five hundred thousand francs was stipulated, to be deducted from the amount of indemnity paid by France to our citizens.

Such were the conditions of the convention, a compact of that best of all kinds, viz: those which are mutually advantageous to both parties, for such the undersigned will presently endeavor to prove it. No time was lost by the American government in carrying it into execution. A law was passed, at as early a period as was practicable, providing for those parts of it which required the co-operation of congress. The payment of fifteen hundred thousand francs to French claimants was sanctioned by the appropriation of that sum out of the treasury, and the stipulated reduction was made in the duties on French wines. At the same session of congress, in the general revision of the tariff of duties on imports into the United States, the discrimination in favor of European silks over those from beyond the Cape of Good Hope, was carefully maintained. Suggestions have been made in France that this discrimination was kept up from general considerations of policy, and not from any purpose of serving or gratifying France. That the discriminating duties on the trade beyond the Cape of Good Hope were, in the origin of our revenue system, laid for the supposed convenience of the treasury, and because it was thought that this trade could bear a surcharge of duties, is perhaps true. The undersigned, however, are of opinion, that such views, if ever entertained, have been long since exploded; that the trade beyond the Cape of Good Hope is now admitted to rest on the same general principles as the trade this side of the Cape of Good Hope, and that a discrimination between the two is an entire anomaly in our system. The discrimination in favor of French silks was notoriously regarded as a great boon by those most concerned to promote the interests of France. If doubts on this point exist in Paris, they will probably vanish on an examination of the archives of the department of foreign affairs. The debates in congress will not less conclusively demonstrate that the friends of this discrimination in the two houses supported its continuance, from friendly considerations toward France. At the succeeding session of congress, a law was passed providing for a gradual and general reduction of all duties on imports. By this law, the discrimination in favor of French wines was still kept up; and, while French silks were allowed to be imported free of duty after the 31st of December, 1833, those of China remain charged with a duty of 10 per cent. The undersigned have not the least doubt that the silk manufacturers of France would deem it to their advantage to advance a capital of 25,000,000 francs, for the sake of securing this discrimination. The interest on such a capital, at 5 per cent. is 1,250,000, which is not much over a third of a duty of 10 per cent. on the amount of French silks imported into the United States in 1833. But a release from the payment of so much duty is by no means the extent of the benefit accruing to France by this exemption. If no discrimination existed, a considerable part of the importation of French silks would cease altogether. On the other hand, to the United States it must be comparatively a matter of indifference whether the silks of China or France are consumed: the amount of this article required for their population would remain the same; the means af payment would remain the same; and the quantity of American produce exported would also, of course, remain the same. The undersigned might go further, and maintain that, as silk fabrics are not an article of American manufacture, the duty on foreign silks is a duty of that description, which imposes a burden on the country without any benefit, enhancing prices, diminishing consumption, and lessening the amount of domestic exports. This burden is laid upon the American citizen for the benefit of the European manufacturer.

Thus, faithfully, and more than faithfully, did the United States fulfil, on their part, the stipulations of the treaty. On the part of France, an unexpected and highly to be regretted failure to fulfil the stipulations on their side, has taken place. It cannot be matter of surprise to the French government or people, that this failure has created great discontent in the United States. Suppose the case had been reversed. Suppose France, as the United States have done, had punctually executed her portion of the stipulations—paid the twenty-five millions, and passed the requisite laws for equalizing the duties on cottons, and the congress of the United States, after securing the money, had refused to reduce the duties on wines; would not such a refusal have been the source of equal surprise, disgust, and offence, on the part of France?

The French chamber of deputies claims the right, under the constitutional charter of France, of withholding appropriations to carry a treaty like that of the 4th of July, 1831, into effect.

The French charter contains two articles, which are alone drawn in question in arriving at the conclusion that the concurrence of the chambers is necessary to the validity of a treaty. By article 13, it is stipulated that "the king makes treaties of peace, alliance and commerce;" and, by article 40, "that no tax can be established or collected if it has not been consented to by the two chambers, and sanctioned by the king.*" It is affirmed, on the part of France, that the treaty of 4th July, 1831, is not a treaty of peace, alliance nor commerce, but one of indemnity, and, consequently, that it is not *such* a treaty as the king can alone make. To this it may be replied, 1st, that it is purely a treaty of commerce, making provision for two objects, intimately connected with commerce, and nothing else. One of these objects is, satisfaction for certain spoliations formerly committed upon our commerce; the other, the duties to be levied on certain articles of commerce in the two countries respectively. The undersigned believe that it would be very difficult to propose any rational definition of a commercial treaty, which would not include one whose provisions are of this character. Again, it deserves to be considered, that, if the treaty of 4th July, 1831, is neither a treaty of friendship, alliance, nor commerce, then the charter of France contains no authority by which such a treaty can be made and concluded, either with or without the concurrence of the chambers. The whole treaty-making power in France is confined to the words cited above from the 13th article of the charter. If these words do not give the king of the French the power to negotiate *such* a treaty, it is not vested in any branch of the French government, nor in all together, and does not exist; a proposition which no one has presumed to advance.

But is is admitted in the French chambers that the king has the initiative in negotiating such a treaty, but that, as it is a treaty for the payment of a sum of money, it requires, under the 40th article, the concurrence of the chamber of deputies. This argument would prove too much: it would prove that the concurrence of the chambers is necessary, not merely to the negotiation of *all* treaties, but to the performance of many other functions expressly vested in the king. The argument is, that treaties of peace, alliance and commerce, may be concluded by the king, but that a treaty of indemnity, involving the payment of money, requires the concurrence of the chambers. But does not a treaty of peace commmonly involve expenditures of money? Does not a treaty of alliance involve the expenditure of money, stipulating, as it may, that France shall make common cause with its ally, and thereby making it necessary to raise armies and equip navies? In like manner, treaties of commerce usually contain provisions absolutely requiring, under the French charter, the concurrence of the legislature; as, for instance, all duties on imposte, which, as taxes, "must be consented" to by the chambers. Thus, the three kinds of treaties, which it is admitted are within the absolute prerogative of the king, all require legislative co-operation. If this necessity of legislative co-operation proves, in reference to the treaty of July 4, 1831, that the king could not definitively conclude that treaty, it proves the same thing, for the same cause, of all other kinds of treaties which are acknowledged nevertheless to be within his exclusive competence.

But it is supposed in France that this claim on the part of the chambers is supported by the analogy of the American constitution. The undersigned do not so understand the constitution of the United States. By that instrument the treaty making power is vested exclusively in the president and senate; and a treaty, duly made by them, is declared, by the same instrument, to be the supreme law of the land. By other provisions of the federal, as of the French constitution, the power to lay and collect taxes is vested in the legislature; and it is a provision of the federal constitution, to which the undersigned do not find a parallel in that of France, that no money shall be *drawn from the treasury* except by appropriations made by law. It follows, of course, that congress has *the power*, in all cases, to prevent the execution of a treaty requiring an appropriation of money, and it would have a right to exercise that power in any *extreme case* in which the treaty-making authority had so abused its trust, as to impose on the other branches of the government the painful necessity of refusing to execute a compact constitutionally entered into with a foreign power. But this right, (a high conservative right, to be applied when flagrant evils require extreme remedies), is not confined to a check on the treaty-making power by the two houses of congress. As no legislative act can be consummated without the concurrence of both houses, either house possesses the same power, and, in an extreme case, the same right not only to check the treaty-making power, but to arrest the whole action of the government. Thus, also, in France the king is commander in-chief by land and sea, and has the sole power of declaring war—a power which has been exercised by his present majesty. It would seem to result, from the doctrine of the necessary co-operation of the chambers in all executive acts drawing after them an appropriation, that a declaration of war, and a movement of troops, would not be lawful, (and, if not lawful, then

*Art. 13. De la charte constitutionelle.

"Le roi est le chef supreme de l'etat; il commande les forces de terre et de mer, declare la guerre, fait les traites de paix, d'alliance, et de commerce," &c.

Art. 40.

"Aucun impot ne peut etre etabli ni percu, s'il n'a etc consente par les deux chambres, et sanctione par le roi."

necessarily predatory and piratical), till the chambers had voted the expenses of the campaign. The undersigned cannot but regard it as a singular paradox, to admit that the king of the French has the sole right to declare war against half the powers of Europe, (a right which some of those most opposed in France to the American treaty have loudly urged him to exercise), to put in motion every soldier, and every ship of war, in the French service, and involve the kingdom in an expense of a thousand million of dollars, but that he has no power, for the sake of preserving "the relations of good intelligence and sincere friendship which unite the two countries," to enter into a contract with the United States for the payment of twenty-five million of francs, in compensation for spoliations committed on their commerce.

The undersigned, of course, are not ignorant that, in the early history of the constitution of the United States, the right of the house of representatives to exercise an ordinary control over the treaty-making power became a controverted question; that, in a time of violent excitement, the right was maintained by one political party opposed to the administration of general Washington, and that it was denied by that illustrious man, and those who sustained his administration. But the undersigned believe that the people of the United States have, generally, settled down upon the construction given by president Washington to the constitution. They fully accord with the opinions entertained by the present executive and our minister in France, as expressed in the letter of Mr. Livingston to the duke de Broglie, of October 5, 1833. "that a treaty made and ratified by the constitutional power, pledges the faith of the nation to the performance of its conditions;" and that the power possessed by the legislative to check the treaty-making branch of the government, can only be lawfully exercised in extreme cases. It is plain that such a power, so limited in its application, cannot, without the prostration of all the principles of constitutional government, be converted into one of the ordinary functions of the political system. Great practical inconvenience, injustice and evil, would result from the attempt to throw the negotiations of treaties into large deliberative bodies, where the other party to the compact would have no representative. It is a course of procedure encumbered with difficulty, essentially invidious and unfair, and which, if attempted to be brought into ordinary use, would go far to render the negotiation of treaties a political chimera. When is there to be an end of such a negotiation, with the Atlantic ocean between the parties? The French chambers propose to cut down the sum to three millions. The American congress may think it should be raised to ten. Is it not plain that no treaty could ever be concluded under these embarrassments? Or is it meant in France, that while the United States are bound by the five millions as a *maximum*, they may re-open the negotiation by an *ex parte* procedure in their chambers, to reduce it as much lower as they please?

But granting to the majority of the French chambers, (what, for the reasons stated, the undersigned can never admit), that the faith of France is not *irrevocably pledged* to the United State for the faithful execution of this treaty, it will not surely be denied that the faith of that country is at least most *seriously committed*. By her constitutional charter, she has recognised a sovereign as "the supreme head of the state,"* seated upon a throne for life, to be transmitted to his successors. In this high functionary, whose person is declared by the charter to be inviolable and sacred, the treaty-making power is vested. To discredit a treaty duly made and ratified by him, is to affix a stigma on the permanent head of the government, and, while, by a kind of mockery, his person is declared sacred, to attaint his honor. We are informed by Mr. Livingston, that, in assuring him that the treaty should be fulfilled, the king added, "I tell you this not only as a king, but as an individual whose promise will be fulfilled." In the United States, the president and senate, who should negotiate a treaty so objectionable that the house of represen tatives would refuse to execute it, would probably be removed from their trust at the next elections, and might be impeached. But so long as the chambers refuse to carry into *effect* a treaty negotiated by the king, who can neither be removed by election, nor proceeded against by impeachment, they hold up their sovereign to the world as a functionary whose contracts will not be fulfilled, whose engagements will not be respected by his own subjects, whose full powers give no power, and who, when he "concludes and signs a treaty," concludes nothing; and signs a piece of parchment, which the chamber of deputies are competent to trample under foot, despite of his majesty's name in its caption, and the great seal of France affixed to its folds. If the chambers declare it not binding, they declare it a nullity, not to say a mockery. Would it be a grateful spectacle to them to have it treated as a nullity, or a mockery, in the bureau of the state department at Washington? to see this solemn document, of the highest class known to the law of nations, signed by the minister of the king of the French, in virtue of full powers, "in good and due form," and fortified by the royal seal of France, swept out as worthless and delusive rubbish?

There are hundreds of individuals in America reduced, some to narrow means, others to absolute poverty, by the lawless acts of the French government, and whose hopes and prospects in life were resuscitated when the word of the king of the French was passed that their property should be restored to them. What will be their feelings, when they find, (if find they must), that the word of the king of the French is to avail them nothing; and that the legislature of France is willing, at a period of boasted light and civilization, to sanction the unexampled infractions of public law and neutral right, by which their property, twenty-five years ago, was swept from the ocean?

But the undersigned have done violence to their feelings, in supposing, for the sake of argument, even the possibility of a state of things so painful and unnatural. Their object has been merely to illustrate that peculiar necessity of tenderness to the engagements of the sovereign, resulting from a monarchical form of government, with which any supposed right on the part of the chambers, to annul a treaty, should be exercised.

But to clear the question of all conceivable embarrassments, the undersigned will now admit, (of course, merely for the sake of argument), that the chambers have not merely the power, but the full right to annul the treaty; and that they could do it without committing the honor of the king. These admissions would bring the question down to one of mere policy; and the undersigned cheerfully undertake to show that it is decidedly for the interest of France that the chambers should provide for the execution of the treaty. It is an advantageous treaty to France. It is for her interest to execute it. In saying this, the undersigned do not mean to assert that this is not an advantageous treaty for the United States, although they deem it vastly more advantageous to France than it is to the United States. But it is advantageous to France, which is all that is necessary to prove.

It was admitted in the French chamber, by those opposed to the treaty, that a considerable sum of money was due on account of the claims. There was a general willingness to admit that this just debt amounted at least to the sum at which it was rated by the emperor Napoleon in 1814, viz: at from thirteen to eighteen millions of francs. But even this sum, justly due then, would amount now to more than the indemnity provided by the treaty. And *if* due then, it is due with interest now. But America has always contended that much more was then due; and the commissioners employed to liquidate the claims under the convention of 1831, have already received, examined and admitted claims to the amount of eight or ten millions of dollars. These claims are all verified on the oath of parties, and examined with the greatest caution by the commissioners, large amounts being suspended, and no inconsiderable ones wholly rejected.

It is, then, certain that an amount is justly due to the American claimants, greater than the treaty provides. The treaty, therefore, is advantageous to France, in procuring her a release, for 25,000,000 francs, of a greater amount of debt. And even if she brought down the debt to the sum admitted by the government of the emperor Napoleon, it would amount, by this time, to the sum provided for by the treaty. But if France saved not a dollar in the amount of the indemnity, the treaty would still be advantageous to her; for when an onerous debt, and one which has been the cause of irritation, is paid, the debtor has, to say the least, as much reason to congratulate himself as the creditor. As a matter of interest to the United States as a people, the pecuniary value of the indemnity is very inconsiderable; it may amount to about thirty cents a head to her population. But, on the score of national character to the French, it is of great moment to be finally exonerated from an unpopular debt.

While the undersigned are considering the amount of the debt, which really seems to have been the cause of the defeat of the appropriation bill, they cannot but notice one of the extraordinary misstatements which were made in the French chamber—misstatements which seem to have contributed essentially to the loss of the bill. Toward the close of the discussion, two or three members of the chamber of deputies, in the manner of persons who seemed to themselves to have made an important discovery, announced to the chamber that the vessels and cargoes seized at St. Sebastian and other ports in Spain, had already been paid for, to the United States, by the Florida treaty, to the amount of eight millions of francs; and that the indemnity ought to this extent to be reduced. It was stated in reply by the minister of foreign affairs, and with perfect accuracy, that these cases were not, in point of fact, provided for by the Florida treaty. But notwithstanding this denial, a member persisted in reiterating the statement, and gave in detail the proofs of what was not, and is not true; and under this apparently strong impression, the question was taken, and the bill lost by a majority of but eight. Now, it seems not unlikely, inasmuch as the chief objection to the indemnity was that it was placed too high, that if these plausible statements, relative to the St. Sebastian cases, could have been effectively contradicted, the small number of eight votes might, at least, have been obtained. On this side of the water it is notorious that the St. Sebastian cases were excluded from all indemnity under the Florida treaty, and that the greater part of them have actually been admitted by the commissioners now sitting under the convention of 1831. The undersigned cannot forbear stating, that, among these cases, are several American vessels, which, after being captured by French cruisers, were taken into the public service of France as national vessels.*

*"Le Roi est le chef supreme de l'Etat."

**List of American vessels seized at St. Sebastian, and taken into the public service under an imperial decree of 22d September*, 1810.

It is, indeed, somewhat humiliating to reflect that American vessels, in time of profound peace, carrying on a lawful commerce, invited by the French authorities, for their own convenience, into ports under the jurisdiction of France, should be suddenly, and (in the circumstances of the case, it is not too much to say) treacherously seized by France, and some of them converted into national ships, and not only no indemnity be made to their rightful owners, after years of patient solicitation; but, when satisfaction is at last stipulated by treaty, in all the constitutional forms known to the two governments, it should be gravely and effectively urged, as a reason for not executing this treaty, that Spain had paid this debt of France twelve years before!

From all these debts, which it so nearly imports the justice of France to pay, the treaty releases her for a sum of 25,000,000 francs, which the undersigned firmly believe to be less than one-third of the principal sum originally due.

Nor do they deem the mode in which the Louisiana question is disposed of less favorable to France. They have already briefly explained the nature of that question. It has been shown that the French interpretation of the convention gives her nothing *which she has not long enjoyed*. Some of the orators in her chamber, in opposing the treaty, evidently labor under the persuasion that the United States, in contesting the French claim under the eighth article of the treaty, withhold from her some boon, great or small, to which she is justly entitled. Not so. She has already, under the commercial convention of 1822, all that she claims; nor is there the least probability that she will ever cease to enjoy it. And though she claims it under the Louisiana treaty, and enjoys it only under the commercial convention, yet, as she enjoys all she claims, it really seems rather an unworthy cause for which to disturb the harmony of two great nations, and drive the United States into war, that we will not agree with her as to the ground on which she ought to enjoy it. France, too, must remember that, though she is very confident her interpretation is right, we also are very confident ours is right. One of her orators permitted himself to say that the government of the United States deprived France of her rights under the eighth article of the treaty, on "miserable pretences—pretences which they knew to be miserable." This is not the kind of logic by which the United States are to be persuaded that their interpretation of the treaty, sustained as it has been by their most distinguished statesmen, is erroneous. And while France, as is actually the case, has received all that she claims, it seems really somewhat unnecessary to dispute about the considerations which have led the United States to concede it.

The only reasonable claim that France could advance under this head, was, as has been said, the reimbursement of what she deems the unjustly levied duties on her tonnage, which were paid between 1815 and 1827. Besides, that the amount of these duties is probably not a tenth as great as that of the sums due our citizens under the fourth article of the convention of 1800. The United States deny that the duties were unjustly levied. But, fatigued with the controversy, and unwilling to let a matter really so trifling stand in the way of the payment of the indemnity due to our citizens, the United States offer to grant to France important favors in the tariff of duties on her wines—favors worth to France, on the computation of her minister of foreign affairs, 800,000 francs per annum, for ten years, a sum greatly exceeding—many times exceeding—the utmost amount to which the loss above alluded to can be supposed to extend. While, then, the eighth article of the Louisiana treaty *practically* gives to the French nothing on their own construction—that is, nothing which they would not enjoy on the general commercial system of the United States—the treaty of July, 1831, gives them, for ten years, an advantage in the impost on their wines of 800,000 francs per annum, even supposing that the consumption will not increase in consequence of the reduction of duties; the contrary of which is notoriously the case.

In addition to this, we have already observed that the French silks enjoy a most valuable discrimination over those of China. This, it is true, is not stipulated by the treaty, but it was kept up, in the last revision of the tariff, out of friendly consideration of the interests of France; and there is no particular reason to think that it will be suppressed should friendly relations be continued between the two countries. But it will be abrogated, as a matter of course, if the treaty is not executed. The undersigned would not be thought ignorant of the fact, that a good commercial treaty is mutually beneficial, and that the United States enjoy advantages in an active commerce with France. But so they do in an active commerce with any other country. The undersigned are not satisfied that discriminations in favor of French wines or silks are of any benefit to the United States. They change the course of trade, but do not, of necessity, increase the amount of products exchanged; perhaps they diminish it. And whatever particular course of policy be pursued by the United States, on the failure of France to execute the treaty, these commercial discriminations in her favor *will be abrogated, never to be renewed!* They are so far anomalous in our system; liable to such objections on the part of other powers, and of benefit so questionable to ourselves, that, once lost by France, they will never be regained.

There is another consideration, which well deserves to be weighed by France. Her commerce with the United States is considerably more important than that which she carries on with any other nation. According to a statement of her commerce for 1833, which appears to be derived from official sources in France, her exports that year to the United States amounted to 117,396,336 francs, and her importations from the United States the same year amounted to 99,079,212 francs.* These statements, it is true, appear to be much exaggerated. The American custom house returns for the same year give our imports from France at 13,963,000, and our exports at 14,425,000 dollars.† But, in the debate on the execution of the treaty in April, 1834, a member stated the exports from France to America at 110,000,000 francs for 1831, and 106,000,000 for 1833. This commerce unquestionably is of great mutual benefit. But it may be safely said, that, while the manufacturers of France can bear no burden upon the raw material of those fabrics, in which they have a difficult competition to sustain with other countries, it is a matter of comparative indifference to America whether she derives the articles which form the bulk of her imports, from France, or some other country. Is it expedient for France to derange and break up a commerce like this, for the sake of escaping a payment of eight or ten millions of francs, of what she deems excess in the stipulations of a treaty, the principles of which she does not contest?

It is then greatly for the interest of France to execute the treaty; and though the undersigned hope that it is not set up a principle that treaties not advantageous may be broken at pleasure, yet the demonstrated advantages of this compact cannot

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Schooner Exchange, of Baltimore, captain Dye, was taken into the public service, and sent with despatches to Philadelphia, where she was libelled by American owners, and restoration ordered by judge Washington, in the circuit court; *sentence afterwards reversed in the supreme courts on the ground of her being a national vessel of war!*

Schooner Trim, of Baltimore, captain Bunbury.
Schooner Post Boy, of Baltimore, captain Adams.
Schooner Eleanor, of Baltimore, captain Gover.
Schooner Hawk, of Baltimore, captain Goff.
Schooner Fawn, of Baltimore, captain Young.
Schooner Prosper, of New York, captain Selby.
Ship Hawk, of Philadelphia, captain Brown.

The remaining 29 American vessels seized at St. Sebastian were sacrificed at auction by order of the French government to the highest bidder, and brought very little, say not more than a franc on each dollar of their cost in the United States.

**Extract from the Garde National.*

Marseilles, Dec. 19, 1834.

GENERAL STATEMENT OF THE COMMERCE OF FRANCE IN 1833.

The second result offered by the administration of the custom house, in its *tableau general*, is that of the whole of our relations with each of the great commercial powers of the world.

The United States continue to be placed very far ahead of the nations with which we hold the most extensive trade. In 1833 our importations amounted to 97,079,212 francs, and our exportations to 117,395,366 francs. After the United States, the following is the order of the powers with which our relations are the most extensive:

	Imports.	*Exports.*
England, comprising Malta, Gibraltar and the Ionian Islands	39,741,639	116,195,858
Belgium	68,844,933	52,348,158
Spain, including the Canary Islands	43,844 595	62,491,590
Sardinia, island and continent	68,737,600	49,687,122
Austria, including the Lumbard Venitian kingdom	48,243,379	6,657,401
Switzerland	31,168,003	58,191,499
Germany	28,567,138	41,945,770
Russia	23,103,800	10,555,791
Prussia	20,491,292	7,401,060
India	27,406,138	5,205,112
Turkey, including the islands of the Archipelago	17,164,911	14,412,779

†The following statements are taken from the official table for the financial year, ending the 30th September of each year.

IMPORTS FROM FRANCE.

Years.	*Total.*	*Silks.*	*Wine.*	*Brandy.*
1824	$8,121,000	$2,340,000	$200,000	$580,000
1825	11,836,000	5,632,000	412,000	860,000
1826	9,590,000	4,120,000	632,000	450,000
1827	9,449,000	4,284,000	565,000	684,000
1828	10,288,000	3,982,000	438,000	1,064,000
1829	9,617,000	4,363,000	444,000	614,000
1830	8,241,000	3,548,000	465,000	210,000
1831	14,738,000	6,888,000	651,000	256,000
1832	12,758,000	5,044,000	902,000	615,000
1833	13,963,000	6,256,000	920,000	85[illegible],000

EXPORTS TO FRANCE.

Yrs.	*Total.*	*Cotton.*	*Value.*	*Am. ton. cleared.*	*Fr. ton. cleared.*
1824	$10,552,000	*lbs.* 40,698,000	$6,436,000	104,900	8,800
1825	11,881,000	30,012,000	5,916,000	100,500	14,500
1826	12,106,000	62,943,000	8,178,000	131,500	16,[illegible]00
1827	13,565,000	70,423,000	7,350,000	147,700	16,600
1828	12,098,000	53,480,000	5,903,000	130,200	14,400
1829	12,832,000	67,464,000	6,855,000	157,700	12,100
1830	11,806,000	75,105,000	7,646,000	148,700	11,400
1831	9,883,000	46,127,000	4,264,000	98,800	7,500
1832	13,245,000	77,467,000	7,723,000	122,500	21,200
1833	14,425,000	76,833,000	8,845,000	119,800	25,400

be overlooked by France; and, it may be hoped, will have their natural effect on her councils.

How does France expect to dispose of the affair in any other way than by executing the treaty? She admits that something is due; and will she not trust her king and ministers in a negotiation with the envoy of the United States to settle the amount? or rather, after it is settled, will she claim the right in her legislative bodies, *where America has no representative*, by *ex parte* statements, and monstrous misstatements, to reduce the amount stipulated by the treaty? The United States will never consent to this course of procedure; no branch of her government will consent to it; not one of her citizens will consent to it. Whatever be the event, the United States will never re-open the convention, nor accept of one dollar less than its stipulated amount.

Will France take upon herself, under these circumstances, to refuse to execute her own treaty; to annul the act of her own executive government; and withhold the payment even of what she has acknowledged justly due? Can she promise herself national honor or benefit in such a course? Will the voice of an enlightened age sustain her? Will her conduct command the respect of the nations of Europe, of Russia, Denmark, Sweden, Great Britain, Portugal, Spain, the Two Sicilies, who have all made satisfaction, and several of them to a large amount, to the citizens of the United States, for claims of a similar character? Will the governments of Europe deem it wise that the public peace should be disturbed, and the commerce of the world interrupted in such a cause? Especially will France withhold the satisfaction of our claims, after having formally stipulated it in a treaty ratified in all the forms of the constitutions of the two countries, faithfully executed by the United States, and after three years' unrequited enjoyment on the part of France of its beneficial provisions? That France has so long delayed to execute it, is matter of equal surprise and regret. The delay is in her own wrong; and the impartial world will hold her responsible for the consequences. She has her own wrongful non-execution of the treaty alone to blame, or all that may be done or said to her displeasure and reproach. The refusal to execute a treaty concluded at the close of a long and unpleasant negotiation, besides the grievous private injury done to the claimants, throws back the government and people of the United States upon the unatoned outrages of 1809 and 1810. Is it an enlightened policy in France to throw upon her king the discredit of vacating a treaty which he has ratified, and to do this for the sake of assuming the responsibility of those remorseless violations of the law of nations, out of which the complaints of America arose?

Since the foregoing views on this important question were prepared, a message has been sent by the president, to the house of representatives, and referred to this committee, containing official intelligence of the recall of the French minister; of the tender of passports made to Mr. Livingston, by the French minister of foreign affairs; and of the presentation of a bill, for the execution of the treaty, to the chamber of deputies. The president also informs the house, that he has directed Mr. Livingston to leave France with the legation, in case the bill for executing the treaty, should be rejected by the chamber. In his letters of the 11th and 14th January, Mr. Livingston, from the means of information possessed by him at Paris, expresses the opinion that the bill will become a law. On the supposition, that such may be the fact, the incidents connected with the interruption of the usual diplomatic intercourse between the two countries, do not seem to require the legislative action of congress, especially as the executive has taken the steps which were deemed proper on the occasion.

It is not to be expected that, in the few days which remain of the session, official intelligence will reach us, that the question is finally disposed of. The undersigned are willing, with the American minister at Paris, to anticipate, that the bill for executing the treaty will become a law. The contrary, however, is possible, and, in this event, the action of congress will be required. It is however, at all times difficult to provide for events future and contingent, with great precision, by acts of provisional legislation. If no other objection existed to such legislation, a strong one would grow out of the want of time properly to mature the measures which might be suggested.

Should no intelligence reach us before the close of the session, requiring the immediate action of the legislature, the subject will be in the disposal of the succeeding congress. If any thing should occur to make it necessary that they should act upon it before the usual time of their assembling, the president has the power to call an extra session. Those measures of security which prudence at all times dictates, and which belong to the general care of the public safety, have already, at the present session, received the attention of the appropriate committees and of congress, and the undersigned are prepared cheerfully to co-operate in any further measures of the same character which the wisdom of congress may sanction.

Nothing seems left, therefore, in the approaching dissolution of the present congress but to consign the whole subject to the consideration of the people at large, (with whom it is still in some degree a matter of novel impression)—to the wisdom of the next congress, who will have all the information necessary for further action, if, contrary to the expectations of our minister at Paris, further action should be required—and to the disposal of an over-ruling Providence. In respectfully submitting these views of the question, the undersigned will only add, as a closing sentiment, that they fully concur in what they believe to be the unanimous opinion of the present congress, that the treaty of the 4th of July, 1831, should be maintained, and its execution insisted on, at all hazards, and such, they doubt not, is the sense of the whole country.

EDWARD EVERETT,
ROBT. P. LETCHER,
R. COULTER.

House of Representatives, Feb. 27, 1835.

Mr. *Cambreleng* explained that when he remarked yesterday that he had never heard of a report on the part of the minority of the committee, he had not the least idea that the paper now presented was the one referred to. Before the late intelligence was received it was proposed in the committee to move the printing of this document, but it was deferred at the time, and he thought the proposition had been dismissed. He added that the report had not been read by one of the six members who formed a majority of the committee.

Mr. *J. Q. Adams* asked whether the report of the minority concluded with any resolutions.

Mr. *E. Everett* replied that it did not.

Mr. *J. Q. Adams* said he would now propose the resolutions which he sent to the chair yesterday.

The resolutions having been read from the National Intelligencer as already published,

Mr. *Adams* requested the clerk to make a verbal alteration in them, so as to change the word "measures" to measure, as he said it was written.

[After a great deal of debate, in which many gentlemen participated, the house agreed, on the motion of *Mr. Coulter*, (yeas 116, nays 107), to commit the message, papers, &c. to a committee of the whole to-morrow, at 11 o'clock.]

[Several bills were afterwards passed—among them the harbor bill, on the motion of Mr. *H. Everett*—yeas 109, nays 65.]

[The house adjourned at *nine* o'clock—a great variety of business happening.]

Saturday Feb. 28. After other business—the house resumed the report of the committee on foreign relations, with the resolutions offered by Mr. *Adams*. After long debates—

Mr. *Cambreleng* concluded his speech by offering the following resolution, which is expressed in the concluding words of the report from the minority of the committee on foreign affairs; observing that, had that report been submitted to the committee, it would have met with nearly the unanimous approbation of the members of the majority.

Resolved, That the treaty of the 4th of July, 1831, should be maintained, and its execution insisted on, at all hazards.

Mr. *Adams* expressed his willingness to accept of this as a modification of the resolution he had offered.

Mr. *Coulter* also expressed his willingness to vote for the same resolution.

Mr. *Chilton* wished to have it amended by striking out the words "*at all hazards*," but

Mr. *Adams* could not consent so to modify the resolution.

Mr. *E. Everett* observing that he had just learned that an express had arrived with some intelligence of a date later than any heretofore received, expressed his desire for a recess till 7 o'clock, and with a view to that measure moved that the committee rise. The motion prevailed—ayes 87, noes 82.

So the committee rose.

Mr. *E. Everett* moved for a recess, when

The *chair* announced the reception of a communication from the hon. *John Ewing*, stating that he had been way-laid, and attacked in a savage manner by lieut. Lane, son of the hon. Mr. *Lane*, a member of this house from Indiana, for no other reason that he knew of, than words uttered by him in debate in this house.

Mr. *Ewing* did not request any action on the part the house, but stated the fact as an apology to the house and to his constituents, for his absence from his seat.

Mr. *Hiester* moved to lay the communication on the table.

Mr. *May*, of Illinois, stated that a court of inquiry had been instituted by the president in the case of lieutenant Lane, in connection with this matter.

Mr. *Hiester* withdrew his motion; and after some further debate—

Mr. *Hannegan* offered a resolution, proposing a committee of investigation to ascertain and report the facts to the house.

Mr. *Harper*, of New Hampshire, moved to lay the subject on the table, and demanded the yeas and nays.

The house negatived the motion—yeas 67, noes 128.

A very warm debate ensued, in which Messrs. *Polk*, *Kinnard*, *Thompson*, *Lytle*, *Hardin*, *Hannegan*, and *Evans* took part, and which was terminated by

Mr. *Stewart's* moving *the previous question*, which was seconded, put, and, carried; when the resolution was agreed to—yeas 127, nays 63.

Mr. *Cambreleng*, then moved again to go into committee of the whole on the state of the union, but the house, on motion of Mr. *Rencher*, adjourned.

Monday, March 2. After the presentation of petitions,

On motion of Mr. *Clay*, the rule was suspended, and the house took up and adopted a resolution directing the secretary of the treasury to cause an estimate to be made of the cost of constructing a levee on the western bank of the Mississippi and southern bank of the Red River, in the state of Louisiana; as also the cost of levees on, or removing the obstructions from, the rivers of Arkansas and Missouri, the effects of such levees and improvements, the quantity of lands which will be reclaimed, &c.

The bill from the senate to suspend the operation of certain provisoes of the act to alter and amend the several acts imposing duties on imports, was read a third time and passed.

Ten thousand extra copies of the report of the secretary of the treasury on commerce and navigation, (when received), were ordered to be printed.

Mr. *McKennan* moved the suspension of the rule to take up the Cumberland road bill from the senate, which motion was negatived.

The report from the judiciary committee unfavorable to the resolution offered by Mr. *Burges*, to prevent the employment of editors in the execution of the public printing, came up in order, which report was ordered to be laid on the table and be printed.

Mr. *Cambreleng*, with a view, he said, to test the disposition of the house as to the mode of proceeding on the report and resolutions of the committee on foreign relations, moved to discharge the committee of the whole from the further consideration of the same; which motion prevailed, yeas 104, nays 92.

The report and resolutions being before the house,

Mr. *J. Q. Adams* said he had adopted, on Saturday, the amendment of the gentleman from Virginia, (Mr. *Archer*), as a modification of his first resolution; but he begged to state, that he wished a direct vote upon his resolution, if the amendment of Mr. *Archer* should be rejected.

The *speaker* said the question would be on the amendment of Mr. *Archer*, which is as follows:

Resolved, That in the just expectation that the government of France will have made provision, or will make provision, for carrying into effect the stipulations of the treaty of indemnity with that government of the 4th of July, 1831, this house will forbear at the present time to adopt any measure in relation to that subject.

A warm and animated debate ensued, in which Messrs. *E. Everett*, *Allen*, of Ohio, *Love*, *McDowell Moore*, *Evans*, *Sutherland*, *Clayton*, *Gilmer*, *Lytle*, *Binney*, *Gorham*, *Mason*, of Va. and *Watmough* took part. The last named gentleman concluded by moving to lay the whole subject on the table.

The question was then taken on Mr. *Watmough's* motion and decided as follows: yeas 48, nays 168.

So the motion was negatived.

The question then recurred on Mr. *Archer's* amendment, which, after debate, was negatived, ayes 71, noes 143.

Mr. *Cambreleng* then moved the following resolution, as an amendment to the first of those introduced by Mr. *Adams*, which was accepted by the latter gentleman:

Resolved, That, in the opinion of this house, the treaty of the 4th July, 1831, should be maintained, and its execution insisted on; when

Mr. *S. Jones*, of Georgia, then submitted the following, as an amendment to the above:

Resolved, That with a solemn treaty acknowledging the rights of our citizens, entered into under the usual formalities, and with a nation possessing to be governed by that code which prescribes the obligation of such instruments, we have every right to expect that the same will be observed in good faith; and that as this house is officially informed, the law for executing said treaty is now under consideration in the French legislature, it is inexpedient, for the present, to legislate on the subject.

The question was then taken, and the resolution rejected without a division.

Mr. *Robertson* then moved to strike out from the first resolution from the words "Resolved that," and insert: "There is satisfactory evidence that the French government desires that the appropriation for indemnity should be made in pursuance of the stipulations of the treaty of July 4, 1831, and reason to hope that the chamber of deputies will adopt that measure, and faithfully discharge the obligations of France to the United States."

Mr. *Gorham* asked for the yeas and nays, which were ordered. The amendment was then rejected.

The question then recurring on the substitute adopted by Mr. *J. Q. Adams*, as given above.

Mr. *Mann*, of New York, called for the yeas and nays.

They were ordered and taken, when the resolution was adopted *unanimously* as follows: yeas 212, nays none.

[The annunciation of this vote from the chair was received with a loud and spontaneous burst of applause, which broke at once from the galleries, and was re-echoed from the floor, making the walls and dome of the chamber to resound with joy, while mutual congratulations passed in all directions.]

Mr. *Adams* then withdrew his other resolutions, and Mr. *Cambreleng* also withdrew the first resolution reported by him, its place being superseded by the one first adopted.

The following resolution reported by the committee on foreign relations, was then also *unanimously* adopted:

Resolved, That the committee on foreign affairs be discharged from the further consideration of so much of the president's message as relates to the commercial restrictions, or to reprisals on the commerce of France.

The resolution adopted by the committee of foreign relations, which is in the following words, was then ordered to lie on the table.

Resolved, That preparation ought to be made to meet any emergency growing out of our relations with France.

The joint resolution from the senate rescinding the joint rule which prohibits transmission of bills to the president on the last day of the session, and after an ineffectual attempt to amend it, was adopted. The house then adjourned.

Tuesday, March 3. By the unanimous consent of the house, several members who had been compelled to withdraw from the house last night before the question was taken on the resolution on French relations, were allowed to add their names to the unanimous vote of the house in its favor.

[The house did not conclude its session until Monday midnight, having been in session arduously engaged in debate from 10 o'clock in the morning.]

On motion of Mr. *Polk*, the house resolved itself into a committee of the whole, on the state of the union, [Mr. *Hubbard* in the chair], on the appropriation bills returned from the senate with amendments.

The amendments made by the senate to the bill making appropriations for the civil and diplomatic expenses of the government for the year 1835, were taken up.

The amendments increasing the appropriations for the contingent expenses of the two houses of congress, and making additional appropriations for the expenses of the north east executive building, were concurred in.

The amendment, providing that the appropriation for the salary and outfit of a minister to London shall not take effect until a minister be appointed by and with the advice and consent of the senate, was taken up.

Mr. *Polk* opposed the amendment as unusual and unnecessary. There was no necessity, he said, to admonish the president of his duty. He moved that the house disagree to the amendment.

Mr. *J. Q. Adams* said, he had directed the attention of the house to this subject when the bill was under consideration here, but had made no motion in regard to it. It would be highly important to have a minister in England, in case our minister should be recalled from France. If our negotiations should be suspended there, it would be important to have a minister in the neighborhood. He was opposed to the amendment, and hoped the house would not sanction the principle which it embraced. It was an attempt to dictate to the president in a matter of his constitutional duty, and it made the appointment of a minister to England dependent on a special meeting of the senate. He did not agree that the president had not the power to appoint a minister during the recess of congress.

The question being then taken, the motion to disagree to the amendment of the senate was decided in the affirmative, 91 to 74.

The amendment granting compensation for certain diplomatic services, to John Randolph Clay, and M. Niles, were, on motion of Mr. *E. Everett*, amended by the addition of a clause appropriating $1,080, to be refunded to com. Downes, a sum expended by him in presents to native chiefs of the Sandwich and Society Islands, and, as amended, concurred in.

Mr. *Jarvis* moved to amend a senate amendment by inserting a provision appropriating $200,000 for the erecting of public buildings for the accommodation of the treasury department.

Mr. *Chinn* moved to amend the clause so as to provide that the material employed in the building should be free-stone instead of granite, but withdrew it, and the amendment was rejected.

The whole remainder of the day, to the time of closing this report, was occupied in the discussion of amendments by the senate to the appropriation bill, with amendments thereto proposed in this house.

LIST OF ACTS

PASSED AT THE SECOND SESSION OF THE 23D CONGRESS.

An act to render permanent the present mode of supplying the army of the United States, and fixing the salary of certain clerks therein named.

For the final adjustment of the claims to land in the south eastern district of Louisiana.

For the final adjustment of claims to lands in the state of Louisiana.

To regulate the pay of the navy of the United States.

Authorising the secretary of the treasury to refund to Richard Butman the tonnage duty imposed on the schooner Brandywine.

To authorise the secretary of state to issue letters patent to James Jones.

To allow further time to complete the issuing and locating of military land warrants during the late war.

Making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-five.

To extend the time of issuing military land warrants to the officers and soldiers of the revolutionary army.

Making appropriations for the support of the army for the year one thousand eight hundred and thirty five.

Making appropriations for the current expenses of the Indian department, for the year one thousand eight hundred and thirty-five.

Making appropriations for the naval service for the year one thousand eight hundred and thirty-five.

Making appropriations for Indian annuities and other similar objects for the year eighteen hundred and thirty-five.

To amend an act, entitled "an act authorising the construction of a bridge across the Potomac, and repealing all acts in relation thereto."

To change the place of holding the district court of the United States of the district of Mississippi.

Making appropriations for certain roads, and for examinations and surveys, for the year one thousand eight hundred and thirty-five.

Making additional appropriations for the Delaware breakwater, and for certain harbors, and removing obstructions in and at the mouths of certain rivers, for the year one thousand eight hundred and thirty-five.

Authorising the construction of a dry dock for the naval service.

Making appropriations for building light boats, beacons, and monuments, and placing buoys for the year eighteen hundred and thirty-five, and for other purposes.

Authorising the city council of St. Augustine to widen a street in St. Augustine.

To authorise letters patent to be issued to Francis B. Ogden.

Making appropriations for the civil and diplomatic expenses of government for the year one thousand eight hundred and thirty-five, and for other purposes.

Amendatory of the act for the continuation of the Cumberland road.

To authorise the removal of the land office at Wapauchkoneta to Lima, in the state of Ohio.

To prescribe the punishment of consuls, commercial agents, and others, in certain cases.

To authorise the sale of certain lands belonging to the university of Michigan.

For improving the harbor at the mouth of the river Raisin, in the territory of Michigan.

Granting to the borough of Michilimackinac certain grounds for public purposes.

For the completion of certain improvements in Florida.

Making an appropriation for the completion of the military barracks at New Orleans.

To provide for the further compensation of the marshal of the district of Delaware.

To authorise the construction of a rail road upon the public lands from Tallahassee to St. Marks, in Florida.

Supplementary to an act entitled an act to authorise the inhabitants of the state of Louisiana to enter the back lands.

To continue the officer of commissioner of pensions.

For the continuation and repair of the Cumberland road, in the states of Ohio, Indiana and Illinois.

To complete certain roads of the territory of Arkansas.

In amendment of the acts for the punishment of offences against the United States.

To establish branches of the mint of the United States.

To authorise the secretary of the treasury to compromise the claims allowed by the commissioners under the treaty with the king of the Two Sicilies, concluded Oct. 14, 1832.

Further to suspend the operation of certain provisoes of "an act to alter and amend the several acts imposing duties on imports," approved July 14, 1832.

Further to extend the time allowed for the execution of the duties of the commission for carrying into effect the convention with France.

To change the times of holding the district court of the United States, for the western district of Virginia, held at Clarksburg.

Supplementary to an act entitled "an act to authorise the extension, construction, and use of a lateral branch of the Baltimore and Ohio rail road, into and within the District of Columbia.

To provide for paying certain pensioners at Jackson, in the state of Tennessee.

To extend the patent of Robert Eastman, for a further period of seven years.

RELIEF ACTS.

For the relief of Samuel Bragdon, David Chase and the owners of the schooner Halcyon; of Charles Gordon, and the crew of the schooner Two Sons; of Wm. P. Zantzinger, purser in the navy; of Silas D. Fisher; of Mervin P. Mix; of Tuffs & Clark; of Humphrey B. Gwathmey; of Robert Haile; of Evan Edwards; of Samuel S. Lord; of Francis Lassel and others; of Samuel Butler; of Job Barton; of David Kincaid; of Stevens Smith, and the heirs of Patrick McRowen and crew of the fishing schooner Rising States; of Matthew C. Perry, a master commandant in the navy; of E. R. Shubrick of the navy; of Riddle, Beetle and Headington; of John J. Avery; of Stephen Gatlin; of Theodore Owens; of the representatives of Thomas Clemmons; of Shubael Conant; of the legal representatives of Aaron Smith; of Thos. Ball; of Wm. Haskell and others; of John Collins; of Peter Triplett; of Simeon Meachum; of the children of Dominick Lynch; of James Young; of Henry Awkward; of John Ashton; of Joseph Gilbert; of the legal representatives of John Mullowney; of Timothy Jordon; of the heirs and legal representatives of Bailey E. Clarke; of Joseph Swartwood; of Abraham E. Boutwell and David Pearson; of Daniel Page; of Thomas Buford; of John Moore; of Geo. C. Seaton; of Richard T. Archer; of John Tice, assignee of William Pennington; of William O'Neale and Robert Morrison; of Benjamin Holland; of col. J. Eugene Leitensdorfer; of John Dougherty, an Indian agent; of Lemuel Tanner, assignee of Pierre Dufresne.

PENSION ACTS.

Granting a pension to Amasa A. Tiffi; to Isaac Janvier; to William Wilges; to Joseph Mead; to Benjamin Leslie; to Wm. Baden and James Harrington; to John Gerodelle; to Samuel Shelmerdine; to Thomas Morton; to John Bryant; to Larnard Swallow; to Noah Miller, an invalid major of the militia; placing captain Cole, a Seneca Indian chief on the pension roll; to Justice Cobb; to Isaac Eckright, to Solomon Case.

RESOLUTIONS.

Joint resolution, giving the right of way through the property of the United States at Harper's Ferry, to the Winchester and Potomac rail road company.

For the (sale) of a lion and two horses, received as a present by the consul of the United States, at Tangier, from the emperor of Morocco.

Presenting a gold medal to Geo. Croghan, and a sword to each of the officers under his command, for their gallantry and good conduct in the defence of Fort Stephenson in 1813.

THE UNITED STATES AND FRANCE.

The following message, with the accompanying documents, was on the 26th ult. transmitted by the president of the United States to both houses of congress:

To the house of representatives of the United States:

I transmit to congress a report from the secretary of state, with copies of all the letters received from Mr. Livingston, since the message to the house of representatives of the 6th instant, of the instructions given to that minister, and of all the late correspondence with the French government in Paris, or in Washington, except a note of M. Serrurier, which, for the reasons stated in the report, is not now communicated.

It will be seen that I have deemed it my duty to instruct Mr. Livingston to quit France, with his legation, and return to the United States, if an appropriation for the fulfilment of the convention shall be refused by the chambers.

The subject being now, in all its present aspects, before congress, whose right it is to decide what measures are to be pursued on that event, I deem it unnecessary to make further recommendation, being confident, that, on their part, every thing will be done to maintain the rights and honor of the country, which the occasion requires. ANDREW JACKSON.

Washington, 25th February, 1835.

To the president of the United States:

Department of state, Washington, 25th February, 1835.

The secretary of state has the honor to submit to the president copies of all the letters received from Mr. Livingston since the message to the house of representatives of the 6th instant, of the istructions given to that minister, and of all the late correspondence with the French government in Paris, or in Washington, except the last note of M. Serrurier, which it has been considered necessary to submit to the government of France before it is made public or answered, that it may be ascertained whether some exceptionable expressions are to be taken as the result of a settled purpose in that government, or as the mere ebullition of the minister's indiscretion.

JOHN FORSYTH.

Mr. Livingston to Mr. Forsyth.

Legation of the United States, Paris, 11th January, 1835.

Hon. *John Forsyth:*

SIR: Believing that it would be important for me to receive the despatches you might think it necessary to send with the president's message, I venture on incurring the expense of a courier to bring it to me as soon as it should arrive at Havre. Mr. Bearsley accordingly, on the arrival of the Sully, despatched a messenger with my letters received by that vessel, and a New York newspaper containing the message, but without any communication from the department; so that your No. 43 is still the last which I have to acknowledge. The courier arrived at 2 o'clock on the morning of the 8th. Other copies were the same morning received by the Estafette, and the contents being soon known caused the greatest sensation, which as yet is, I think, unfavorable. The few members of the opposition who would have voted for the execution of the treaty, now declaring that they cannot do it under the threat of reprisals, and the great body of that party making use of the effect it has on national pride, to gain proselytes from the ministerial side of the chamber, in which, I have no doubt, they have in a great degree for the time succeeded.

The ministers are aware of this, and will not, I think, immediately urge the consideration of the law, as I have no doubt they were prepared to do when the message arrived. Should congress propose commercial restrictions, or determine to wait to the end of the session before they act, this will be considered as a vote against reprisals, and then the law will be proposed, and I think carried. But I ought not to conceal from you that the excitement is at present very great; that their pride is deeply wounded by what they call an attempt to coerce them by threats, to the payment of a sum which they persist, (in opposition to the plainest proof), in declaring not to be due. This feeling is fostered by the language of our opposition papers, particularly by the Intelligencer and New York Courier, extracts from which have been sent on by Americans, declaring them to be the sentiments of the majority of the people. These, as you will see, are translated and republished here, with such comments as they might have been expected, and undoubtedly were intended, to produce; and if hostilities should take place between the two countries, those persons may flatter themselves with having the credit of a great share in producing them. The only letter I have received from home is one from my family. This, to my great satisfaction, informs me that the president will be supported by all parties, and I am told that this is the language of some of the opposition papers,

but as they are not sent to the legation, I cannot tell in what degree this support can be depended upon. Whether the energetic language of the message will be made the pretext with some, or be the cause with others, among the deputies for rejecting the law, cannot of course be yet conjectured with any degree of probability; but I think it will have a good effect. It has certainly raised us in the estimation of other powers, if I may judge from the demeanor of their representatives here; and my own opinion is, that as soon as the first excitement subsides, it will operate favorably on the councils of France. Already more of the journals begin to change their tone, and I am much mistaken if the opposition here, finding that we are in earnest, will incur the responsibility of a rupture between the two nations, which they see must take place if the treaty be rejected. The funds experienced a considerable fall as soon as the message was known, and insurance rose; in short, it has made them feel the commercial as well as political importance of our country.

The count de Rigny had requested me to communicate the message to him as soon as it should be received. This I promised to do; and accordingly, on the morning of the 8th, to avoid any mistake as to the mode of making the communication, I carried the paper to him myself, telling him that I had received a *gazette* containing a paper, said to be the message of the president, which I delivered to him in compliance with my promise, but I requested him to observe, that it was not an authentic paper, nor was it delivered in pursuance of instructions, nor in my official character. I thought it, for obvious reasons, necessary to be very explicit on this point, and he probably understood me, as he had not yet read the message. Little more passed at the interview, and I thought of it, but not immediately, to seek another: I shall probably, however, see him to night, and shall then appoint some time for a further conference, of which, I will by this same packet give you the result.

Mr. Middleton had just arrived from Madrid, with the inscriptions of the Spanish indemnity, and a draft for the first payment of interest. His instructions are, he says, to leave them with me, but as I have heard nothing from the department, I shall advise the depositing them with Rothschild, to wait the directions of the president.

The importance of obtaining the earliest intelligence, at this crisis of our affairs with France, has induced me to direct that my letters should be sent by the Estafette from Havre, and that, if any important advices should be received, at such an hour in the day as would give a courier an advance of some hours over the Estafette, that a special messenger should be despatched with it.

I have the honor to be, very respectfully, sir, your most obedient servant, EDW. LIVINGSTON.

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Mr. Livingston to Mr. Forsyth.

Legation of the U. States, Paris, January 14, 1835.

Hon. *John Forsyth:*

SIR: The intended conference with the minister of foreign affairs, of which I spoke to you in my last, No. 70, took place yesterday morning. I began it by expressing my regret that a communication from the president to congress had been so much misrepresented in that part which related to France, as to be construed into a measure of hostilities. It was, I said, part of a consultation between different members of our government, as to the proper course to be pursued, if the legislative body of France should persevere in refusing to provide the means of complying with a treaty formally made. That the president, as was his duty, stated the facts truly, and in moderate language, without any irritating comment. That in further pursuance of his official duty he declared the different modes of redress which the law of nations permitted, in order to avoid hostilities; expressing as he ought to do, his reasons for preferring one of them. That in all this there was nothing addressed to the French nation; and I likened it to a proceeding well known in the French law, (a family council in which the concerns and interests are discussed), but of which in our case the debates were necessarily made public. That a further elucidation of the nature of this document might be drawn from the circumstance, that no instructions had been given to communicate it to the French government, and that, if a gazette containing it had been delivered, it was at the request of his excellency, and expressly declared a private communication, not an official one. I further stated that I made this communication without instructions, merely to counteract misapprehensions, and from an earnest desire to rectify errors which might have serious consequences. I added that it was very unfortunate that an earlier call of the chambers had not been made in consequence of M. Serrurier's promise, the non-compliance with which was of a nature to cause serious disquietude with the government of the United States. I found immediately that this was the part of the message that had most seriously affected the king; for count de Rigny immediately took up the argument, endeavoring to show that the government had acted in good faith; relying principally on the danger of a second rejection, had the chambers been called, at an early day, expressly for this object. I replied, repeating that the declaration made by M. Serrurier was a positive and formal one, and that it had produced a forbearance on the part of the president to lay the state of the case before congress. In this conference, which was a long one, we both regretted that any misunderstanding should interrupt the good intelligence of two nations having so many reasons to preserve it, and so few of conflicting interests. He told me, (what I knew before), that the exposition was prepared, and that the law would have been presented the day after that on which the message was received. He showed me the document, read part of it to me, and expressed regret that the language of the message prevented it being sent in. I said that I hoped the excitement would soon subside, and give place to better feelings, in which I thought he joined with much sincerity. It is, perhaps, necessary to add, that an allusion was made by me to the change of ministry in November, and the reinstatement of present ministers, which I told him I had considered as a most favorable occurrence, and that I had so expressed myself in my communications to you; but that this circumstance was unknown at Washington when the message was delivered, and I added that the hopes of success held out in the communication to which I referred, and the assurances it contained that the ministers would zealously urge the adoption of the law, might probably have imparted the same hopes to the president, and have induced some change in the measure he had recommended. But that the formation of the Dupin ministry, if known, must have had a very bad effect on the president's mind, as many of that ministry were known to be hostile to the treaty.

When I took leave, the minister requested me to reflect on the propriety of presenting a note of our conversation, which he said should be formal or otherwise, as I should desire. I told him I would do so, and inform him on the next morning by 11 o'clock.

We parted, as I thought, on friendly terms, and in the evening, meeting him at the Austrian ambassador's I told him that on reflection I had determined to wait the arrival of the packet of the 15th before I gave the note, to which he made no objection. After all this, you may judge of my surprise, when last night, about ten o'clock, I received the letter, a copy of which is enclosed, and which necessarily closes my mission. In my reply, I shall take care to throw the responsibility of breaking up the diplomatic intercourse between the two countries where it ought to rest, and will not fail to expose the misstatements which you will observe are contained in the minister's note; both as respects my government and myself—but the late hour at which I received the count de Rigny's note, and the almost immediate departure of the packet, may prevent my sending you a copy of my communication to him, which I shall use the utmost diligence in preparing.

The law, it is said, will be presented to-day, and I have very little doubt that it will pass. The ministerial phalanx, reinforced by those of the opposition, (and they are not a few), who will not take the responsibility of involving the country in the difficulties which they now see must ensue, will be sufficient to carry the vote. The recall of Serrurier, and the notice to me, are measures which are resorted to, to save the pride of the government and the nation.

I have the honor to be, very respectfully, sir, your most obedient servant, EDW. LIVINSTON.

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From count de Rigny to Mr. Livingston.

[TRANSLATION.]

Department of foreign affairs, Paris, January 13*th*, 1835.

SIR: You have well comprehended the nature of the impressions, produced upon the king's government, by the message which his excellency president Jackson addressed, on the 1st of December, to the congress of the United States. Nothing certainly could have prepared us for it. Even though the complaints expressed in it had been as just, as they are in reality unjust, we should still have had a right to be astonished, on receiving the first communication of them in such a form.

In the explanations which I am now about to make, I cannot enter upon the consideration of any facts, other than those occurring subsequently to the vote, by which the last chamber of deputies refused the appropriation, necessary for the payment stipulated in the treaty of July 4th. However this vote may have been regraded by the government of the U. States, it is evident, that by accepting *(accueillant)*, the promise of the king's government, to bring on a second deliberation, before the new legislature, it had in fact postponed all discussion, and all recrimination on the subject of this first refusal, until another decision should have either repealed or confirmed it. This postponement therefore sets aside, for the time, all difficulties, arising either justly or unjustly, from the rejection of the treaty, or from the delay by which it had been preceded; and although the message begins by enumerating them, I think proper, in order to confine myself to the matter in question, only to reply to the imputations made on account of subsequent occurrences.

The reproaches which president Jackson considers himself authorised to address to France, may be summed up in a few words. The king's government promised to present the treaty of July 4th again to the chambers, as soon as they could be assembled. They were assembled on the 31st of July, and the treaty has not yet been presented to them. Such is exactly the whole substance of the president's argumentation, and nothing can be easier than to refute it.

I may first observe, that the assembling of the chambers on the 31st July, in obedience to a legal prescription, that they should be called together within a stated period after a dissolution of the chamber of deputies, was nothing more than a piece of formality; and if president Jackson had attended to the internal mechanism of our administrative system, he would have been convinced that the session of 1835 could not have really

commenced at that season of 1834. Every one knew before hand that, after a fortnight spent in the forms of installation, it would be adjourned.

The president of the United States considers that the bill relative to the American claims should have been presented to the chamber within that fortnight. I cannot understand the propriety of this reproach. The bill was explicitly announced in the speech from the throne, on the very day in which the chambers met. This was all that was required to make known the opinion and design of the government, and to prevent that species of moral proscription to which absolute silence would have given authority. With regard to the mere act of presentation, so long before discussion could possibly take place, this proceeding would have been so unusual and extraordinary, that it might have increased the unfavorable prepossessions of the public already too numerous, without producing any real advantage in return. Above all, the result which the president had in view, of being able to announce the new vote of the chamber of deputies in his message would not have been attained.

President Jackson expresses his regret that your solicitations *(instances)*, had not determined the king's government to call the chambers together at an earlier day. How soon soever they may have been called, the simplest calculation will serve to shew that the discussions in our chambers could not have been known in the United States at the opening of congress, and the president's regret is therefore unfounded. Moreover, the same obstacles and the same administrative reasons which rendered a real session impossible during the months of July or August, were almost equally opposed to its taking place before the last weeks of the year. The head of a government like that of the United States, should be able to comprehend more clearly than any one else, those moral impossibilities which arise from the fixed character of the principles of a constitutional *regime*, and to see that in such a system the administration is subject to constant and regular forms, from which no special interest, however important, can authorise a deviation.

It is, then, evident, that, far from meriting the reproach of failing to comply with its engagements, far from having deferred, either voluntarily or from negligence, the accomplishment of its promises, the king's government, ever occupied in the design of fulfilling them, was only arrested for a moment, by insurmountable obstacles. This appears from the explanations now given; and, I must add, that the greater part of them have already been presented by M. Serrurier to the government of the United States, which by its silence seemed to acknowledge their full value.

It is worthy of remark, that, on the 1st of December, the day on which president Jackson signed the message to congress, and remarked with severity that nearly a month was to elapse before the assembling of the chambers, they were in reality assembled, in virtue of a royal ordinance, called them together at a period earlier than that first proposed. Their assemblage was not indeed immediately followed by the presentment of the bill relative to the American claims; but you, sir, know better than any other person, the causes of this new delay. You yourself requested us not to endanger the success of this important affair, by mingling its discussion with debates of a different nature, as their mere coincidence might have the effect of bringing other influences into play, than those by which it should naturally be governed. By this request, you clearly showed that you had, with your judicious spirit, correctly appreciated the situation of things, and the means of advancing the cause which you were called to defend. And, permit me to add, that the course which you have thought proper to adopt on this point is the best justification of that which we ourselves have for some months been pursuing, in obedience to the necessities inherent in our political organization, and in order to insure, as far as lies in our power, the success of the new attempt which we were preparing to make in the chamber.

However this may be, the king's government, freed from the internal difficulties, the force of which you have yourself so formally admitted, was preparing to present the bill for giving sanction to the treaty of July 4th, when the strange message of December 1st came, and obliged it again to deliberate on the course which it should pursue.

The king's government, though deeply wounded by imputations to which I will not give a name, have demonstrated their purely gratuitous character, still does not wish to retreat absolutely from a determination, already taken, in a spirit of good faith and justice. How great soever may be the difficulties, caused by the provocation which president Jackson has given, and by the irritation which it has produced in the public mind, it will ask the chambers for an appropriation of twenty-five millions, in order to meet the engagements of July 4th. But, at the same time, his majesty has considered it due to his own dignity, no longer to leave his minister exposed to hear language so offensive to France. M. Serrurier will receive orders to return to France.

Such, sir, are the determinations of which I am charged immediately to inform you, in order that you may make them known to the government of the United States, and that you may yourself take those measures which may seem to you to be the natural consequences of this communication. The passports which you may desire, are, therefore, at your disposition.

Accept, sir, the assurance of my high consideration,

DE RIGNY.

To the hon. *Edw. Livingston.*

Mr. Livingston to Mr. Forsyth.

Legation of the United States, Paris, Jan. 15th, 1835.

SIR: Having determined to send Mr. Brown, one of the gentlemen attached to the legation, to Havre, with my despatches, I have just time to add to them the copy of the note which I have sent to the count de Rigny. The course indicated by it was adopted after the best reflections I could give to the subject, and I hope will meet the approbation of the president. My first impressions were, that I ought to follow my inclinations, demand my passports, and leave the kingdom. This would at once have freed me from a situation extremely painful and embarrassing, but a closer attention convinced me that, by so doing, I should give to the French government the advantage they expect to derive from the equivocal terms of their note, which, as occasions might serve, they might represent as a suggestion only, leaving upon me the responsibility of breaking up the diplomatic intercourse between the two countries if I demanded my passports; or if I did not, and they found the course convenient, they might call it an order to depart, which I had not complied with. Baron Rothschild also called on me yesterday, saying that he had conversed with the count de Rigny, who assured him that the note was not intended as a notice to depart, and that he would be glad to see me on the subject. I answered that I could have no verbal explanations on the subject, to which he replied that he had suggested the writing a note on the subject, but that the minister had declined any written communication. Rothschild added, that he had made an appointment with the count de Rigny for six o'clock, and would see me again at night: and he called to say that there had been a misunderstanding as to the time of appointment, and that he had not seen M. de Rigny, but would see him this morning; but in the mean time I determined on sending my note, not only for the reasons contained in it, which appear to me conclusive, but because I found that the course was the correct one in diplomacy, and that to ask for a passport merely because the government near which the minister was accredited had suggested it would be considered as committing the dignity of his own: that the universal practice in such cases was to wait the order to depart, and not, by voluntary demand of passports, exonerate the foreign government from the odium and responsibility of so violent a measure.

My note will force them to take their ground. If the answer is that they intended only a suggestion, which I may follow or not as I choose, I will remain, but keep aloof until I receive your directions. If, on the other hand, I am told to depart, I will retire to Holland or England, and there wait the president's orders. In either case, the arrangement will be extremely expensive, and my situation very disagreeable. The law was not presented yesterday, but will be to-day, and I have been informed that it is to be introduced by an *expose*, throwing all the blame of the present state of things on M. Serurier and me, for not truly representing the opinions of our respective governments. They may treat their own minister as they please, but they shall not, without exposure, presume to judge of my conduct, and make me the scape-goat for their sins. The truth is, they are sadly embarrassed. If the law should be rejected, I should not be surprised if they anticipated our reprisals by the seizure of our vessels in port, or the attack of our ships in the Mediterranean with a superior force. I shall, without delay, inform commodore Patterson of the state of things, that he may be on his guard, having already sent him a copy of the message.

I have the honor to be, sir, your most obedient servant,

EDW. LIVINGSTON.

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Mr. Livingston to the count de Rigny.

Legation of the U. S. of America, Paris, Jan. 14, 1835.

The undersigned, envoy extraordinary and minister plenipotentiary of the U. States of America, received late last night the note of his excellency the count de Rigny, minister secretary of state for foreign affairs, dated the 13th instant.

The undersigned sees with great surprise, as well as regret, that a communication made by one branch of the government of the United States to another, not addressed to that of his majesty the king of the French, nor even communicated to it, is alleged as the motive for a measure, which not only increases actual subjects of irritation, but which necessarily cuts off all the usual means of restoring harmony to two nations who have the same interest, commercial and political, to unite them, and none but factitious subjects for collision.

The grave matter in the body of his excellency's note demands, and will receive, a full answer: it is to the concluding part that his attention is now requested. The undersigned, after being informed that it is the intention of his majesty's government to recall Mr. Serrurier, is told "that this information is given to the undersigned, in order that he may communicate it to his government, and in order that he may himself take those measures which may appear to him the natural result of that communication; and that, in consequence thereof, the passports which he might require are at his disposition." This phrase may be considered as an intimation of the course which, in the opinion of his majesty's government, the undersigned ought to pursue, as the natural result of Mr. Serrurier's recall; or it may be construed, as it seems to have been by the public, into a direction by his majesty's government to the minister of the United States to cease his functions and leave the country.

It is necessary, in a matter involving such grave consequences, that there should be no misunderstanding; the two catego-

ries demanding a line of conduct entirely different the one from the other.

In the first, he can take no directions, or follow no suggestions but those given by his own government, which he has been sent here to represent. The recall of the minister of France, on the grounds alleged, could not have been anticipated; of course no instructions have been given to the undersigned on the subject; and he will not take upon himself the responsibility which he would incur by a voluntary demand of his passports, although made on the suggestion of his majesty's government. If this be the sense of the passage in question, the duty of the undersigned cannot be mistaken. He will transmit the note of his excellency the count de Rigny to his government, and wait its instructions. Widely different will be his conduct, if he is informed that the conclusion of the count de Rigny's note is intended as a direction that he should quit the French territory. This he will, without delay, comply with, on being so informed, and on receiving the passports necessary for his protection until he shall leave the kingdom.

Leaving the responsibility of this measure where it ought to rest, the undersigned has the honor to renew to his excellency the count de Rigny the assurance, &c. &c.

(Signed) EDW. LIVINGSTON.

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No. 73.

Mr. Livingston to Mr. Forsyth.

Legation of the United States, Paris, January 16, 1835.

SIR: The wind being unfavorable, I hope that this letter may arrive in time for the packet.

By the enclosed semi-official paper, you will see that a law has been presented for effecting the payment of 25,000,000 francs capital to the United States, for which the budgets of the six years next succeeding this are affected, and with a condition annexed that our government shall have done nothing to affect the interests of France. It would seem from this that they mean to pay nothing but the capital, and that only in six years from this time; but, as the law refers to the treaty, for the execution of which it provides, I presume the intention of the ministry cannot be to make any change in it, and that the phraseology is in conformity with their usual forms. At any rate, I shall, notwithstanding the situation in which I am placed in relation to this government, endeavor to obtain some explanation on this point.

The packet of the 16th has arrived; but, to my great regret, brought me no despatches, and having received none subsequent to your No. 43, and that not giving me any indication of the conduct that would be expected from me in the event of such measures as might have been expected on the arrival of the president's message, I have been left altogether to the guidance of my own sense of duty, under circumstances of much difficulty. I have endeavored to shape my course through them in such a way as to maintain the dignity of my government, and preserve peace, and, if possible, restore the good understanding that existed between the two countries. From the view of the motives of the president's message, contained in the answer of the Globe to the article in the Intelligencer, I am happy in believing that the representations I have made to the count de Rigny, as detailed in my No. 71, are those entertained by the government, and that I have not, in this at least, gone further than it would have directed me to do had I been favored with your instructions.

I have no answer yet to my note to the count de Rigny, a copy of which was sent by my last despatch, nor can I form any new conjecture as to the event.

The enclosed paper contains a notice that I had been received by the king. This is unfounded, and shall be contradicted. I shall not, in the present state of things, make my appearance at court, and only in cases where it is indispensable have any communication with the ministers. I have the honor to be, with great respect, your obedient servant, EDW. LIVINGSTON.

Hon. *J. Forsyth, &c. &c.*

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Mr. Forsyth to Mr. Livingston.

Department of state, Washington, Feb. 13, 1835.

SIR: To relieve the anxiety expressed in your late communication to the department of state, as to the course to be pursued in the event of the rejection by the chamber of deputies of the law to appropriate funds to carry into effect the treaty of 4th July, 1831, I am directed by the president to inform you that if congress shall adjourn without prescribing some definite course of action, as soon as it is known here that the law of appropriation has been again rejected by the French chamber, a frigate will be immediately despatched to Havre to bring you back to the United States, with such instructions as the state of the question may then render necessary and proper. I am, sir, &c.

JOHN FORSYTH.

Edward Livingston, esq.

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No. 49.

Mr. Forsyth to Mr. Livingston.

Department of state, Washington, Feb. 24, 1835.

SIR: Your despatches to No. 73 have been received at the department; No. 73 by yesterday's mail. Nos. 70, 71, 72, were delayed until this morning, by the mismanagement of the young man to whose care they were committed by the captain of the packet Sully, in New York.

In the very unexpected and unpleasant position in which you have been placed, I am directed by the president to say to you, that he approves of your conduct as well-becoming the representative of a government ever slow to manifest resentment, and eager only to fulfil the obligations of justice and good faith; but, at the same time, to inform you, that he should have felt no surprise, and certainly would have expressed no displeasure, had you yielded to the impulse of national pride, and at once have quitted France, with the whole legation, on the receipt of the count de Rigny's note of the 13th of January. M. Serrurier having received his orders, has terminated his ministerial career by the transmission of a note, a copy of which, and of all the correspondence had with him, is herewith enclosed. M. Pageot has been presented to me as charged with the affairs of France on the recall of the minister.

The note of the count de Rigny having, no doubt, according to your intention, received from you an appropriate reply, it is only necessary for me now to say, that the count is entirely mistaken in supposing that any explanations have been given here, by M. Serrurier, of the causes that have led to the disregard or postponement of the engagements entered into by France after the rejection of the appropriation by the last chamber of deputies, and of which he was the organ. No written communication whatever has been made on the subject, and none verbally made of sufficient importance to be recorded; a silence with regard to which could [not] have been justly the foundation of any inference that the president was satisfied that the course of the French administration was either reconcileable to the assurances given him, or necessary to secure a majority of the chamber of deputies.

The last note of Mr. Serrurier will be the subject of separate instructions, which will be immediately prepared and forwarded to you.

In the present position of our relations with France, the president directs that, if the appropriation to execute the treaty shall be, or shall have been, rejected by the French legislature, you forthwith quit the territory of France, with all the legation, and return to the United States by the ship of war which shall be in readiness at Havre to bring you back to your own country. If the appropriation be made, you may retire to England or Holland, leaving Mr. Barton in charge of affairs. Notify the department of the place selected as your temporary residence, and await further instructions. I am, sir, your obedient servant, JOHN FORSYTH.

Edward Livingston, esq. envoy extraordinary and min. plen.

—

Mr. Forsyth to Mr. Serrurier.

Department of state, Washington, Feb. 23, 1835.

Official information having been received by the president of the recall of Mr. Serrurier by his government, and the papers of the morning having announced the arrival of a French sloop of war at New York, for the supposed object of carrying him from the United States, the undersigned, secretary of state of the United States, tenders to Mr. Serrurier all possible facilities in the power of this government to afford, to enable him to comply speedily with the orders he may have received or may receive.

The undersigned avails himself of the occasion to renew to Mr. Serrurier the assurances of his very great consideration.

JOHN FORSYTH.

—

Mr. Serrurier to Mr. Forsyth—Translation.

Washington, February 23, 1835.

SIR: I have just received orders from my government, which make it necessary for me to demand of you an immediate audience. I, therefore, request you to name the hour at which it will suit you to receive me at the department of state. I have the honor to be, with great consideration, sir, your obedient humble servant, SERRURIER.

To the hon. *John Forsyth, secretary of state of the U. S.*

—

Mr. Forsyth to Mr. Serrurier.

Department of state, Washington, Feb. 23, 1835.

The undersigned, secretary of state of the United States, informs Mr. Serrurier, in reply to his note of this instant, demanding the indication of an hour for an immediate audience, that he is ready to receive, in writing, any communication the government of France desires to have made to the government of the United States. The undersigned has the honor to offer to Mr. Serrurier the assurances of his very great consideration,

JOHN FORSYTH.

—

Mr. Serrurier to Mr. Forsyth—Translation.

Washington, February 23, 1835.

SIR: My object in asking you this morning to name the hour at which it would suit you to receive me was in order that I might, in consequence of my recall as minister of his majesty near the United States, present and accredit Mr. Pageot, the first secretary of this legation, as charge d'affaires of the king; this presentation, which, according to usage, I calculated on making in person, I have the honor, in compliance with the desire expressed to me by you, to make in the form which you appear to prefer.

I thank you, sir, for the facilities which you have been kind enough to afford me, in the note preceding that now answered, also of this morning's date, and which crossed the letter in which I demanded an interview. I have the honor to renew to you, sir, the assurance of my high consideration,

SERRURIER.

To the hon. *John Forsyth, secretary of state.*

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 2—VOL. XII.] BALTIMORE, MARCH 14, 1835. [VOL. XLVIII. WHOLE No. 1,225

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The papers are uncommonly interesting, and we have disposed of a great quantity of matter this week—being aided by a supplement. We have many other articles on hand that are equally important, and shall work through them with all possible despatch. We never before had so rich a stock of copy at command.

—

A riot took place on the rail road from Baltimore to Washington, (about four miles from the latter), last week. Five or six *Germans* were wounded, by muskets, and other deadly weapons; and 11 Germans and 1 Frenchman taken into custody, and held over for trial—with arms in their hands. The riot had commenced about a demand for higher wages. They had made an assault upon those who were content with the wages paid to them.

—

The steamboat Kentucky, which was sold at trustee's sale, brought (says the Baltimore Chronicle) the sum of $45,100, about one-half of her original cost.

—

The mayor of *Philadelphia* is winning for himself "golden opinions." He has lately broken up several nests of gamblers; and, recently, captured one of the most accomplished counterfeiters in the world, with all his plates, &c. "just on the eve of spreading his issues from them." They were of the bills of the bank of the United States, for $10—and so well done, says the account, as to be the best counterfeits ever seen! He had not issued a single one.

—

The stocks in New York, March 9—Bank of the U. States, 108¾ @ 109.

Marine stocks are again 2@3 per cent higher, making 7@8 per cent since the last news from France.

—

The legislature of *Kentucky* has just adjourned. *Geo. M. Bibb* (whose term of service as a senator of the United States has just expired), was appointed, before the adjournment, to be *chancellor* of the Louisville chancery court; a station for which his education, habits and temper, combine to fit him peculiarly.

—

A letter dated at Frankfort, Kentucky, February 21st, states that the legislature would, after a most laborious session, adjourn on the 28th ult, having passed the Northern bank bill, and a bill appropriating one million of dollars for internal improvement, besides various other important measures.

Kentucky is becoming well stocked with banks. The bill for this bank passed the senate 20 to 18, every member being in his seat.

—

The steamboat *Charles Carroll* remained at Frenchtown, on Tuesday last, until 4 o'clock, in consequence of a violent snow storm—which fell *there* to the depth of 6 or 8 inches. Since then the weather has been mild and open.

The snow was nine inches deep at Philadelphia on Tuesday morning last.

—

A valuable copper mine has been opened in the vicinity of Galena. The ore, which is expected to yield 50 per cent. is found near the surface of the earth, and it is believed that large bodies of it exist at greater depths.

—

It is stated, that among the losses occasioned by the shipwreck of the Sovereign, from London, was a present of great value from the British government to the New York Law Institute, being a copy of the work recently published at the expense of that government, of its ancient records, archives and historical documents, printed in a beautiful manner, and comprising 70 or 80 large folio volumes.

Oak wood, on a certain day last week, sold at nine dollars a cord, in Philadelphia. It had, at no time, exceeded six dollars at Baltimore.

—

The amount of duties accruing from importations into New York for the year 1834, is ascertained to be *ten millions one hundred and eighty-four thousand dollars!!!*

—

The tolls collected on the New York canals during the year ending on the 1st of January, 1835, amounted to one million three hundred and forty thousand one hundred and six dollars, and seventy-six cents, as follows, viz:

Tolls of the	Erie canal,	$1,179,744 97
do.	Champlain canal,	115,211 89
do.	Oswego canal	22,168 62
do.	Cayuga and Seneca canal,	18,130 43
do.	Chemung canal	3,477 45
do.	Crooked Lake canal,	1,373 40
	Total,	$1,340,106 76

—

One of the grandest buildings in the United States is the Philadelphia alms house, a description of which is given by a correspondent of the National Gazette. It is situated on the Schuylkill, opposite the western end of the city, and cost eight hundred thousand dollars. The buildings are a continuous pile three stories high, forming a hollow square, each side of which measures five hundred feet, making a range of more than one-third of a mile. It is built of stone, rough-cast, with large windows, and a large portico of eight huge Doric columns projects from the centre of the southern side. It has at present about seventeen hundred inmates. [*Amer.*

—

The "*Frederick Herald*," a paper of thirty-two years standing, has been lately enlarged and is very much improved. It is now the largest country paper in the state, and has, perhaps, the greatest circulation. Its advertising business is second to no other. Its price remains unchanged—*two dollars per annum*, if paid within the year.

—

On supplying the city with pure and wholesome water, the "New York American" says—

In the board of aldermen last evening, the report of the commissioners for supplying the city with water, was read and accepted. "The plan," says the Times, "is to obtain water from the Croton river—the grand reservoir for the city to be the summit of Murray Hill, about three miles out, and which is higher than the highest house in the city. The cost of bringing water to Murray Hill, is calculated to be $4,250,000, and from thence through the city $1,262,000 more, making in all $5,512,000. The pipes already down will answer for a part, and their cost may be taken from the above amount. It was stated that in 110 fires last year the loss of property which was insured amounted to $910,931, and that there was about half as much more not covered by insurance. The loss by fire in the city of New York averages $1,000,000 a year, one fifth of the cost of the projected water works, most of which would be saved by a ready and abundant supply of water."

We trust the board of assistants will, at their next meeting, concur with the aldermen, and that, at the spring election, there will be a clear vote in favor of this useful, this magnificent, and only certain project.

—

The amount of specie imported into the United States, since the 1st of October, 1833, is put down at $22,423,596—to which the amount in the current quarter being added, (two millions more), makes the whole amount to $24,423,596. In the mean time, it is estimated that only $3,000,000 have been exported. This is a great and very unexpected influx. The rate of exchange on England remains low—caused by the heavy demand and high price of cotton.

The following statement of a law case, is copied from the Baltimore "American:"

State of Maryland, vs. Thomas Holsten and others. } In Baltimore city court.

These cases, seven in number, were of a peculiar character and excited much interest.

For a considerable time our city and its visiters have been subjected to a series of depredations, effected in a manner that indicated the existence of a nefarious combination which was often successful. Much had been said and published on the subject, but it remained for the trial of these juvenile but experienced offenders to prove the existence of an association of which no citizen was aware.

From the evidence it appeared that for some years a gang of young desperadoes have been associated under the denomination of "*The Forty Thieves.*" The association was regularly organised; commanded by the captain and the necessary subalterns, and its rules were regularly enforced.

One of its rules was that each member should commit depredations to a certain amount, or be expelled from the body.

The persons composing the association appeared to be on an average from 11 to 16 years of age. The captain, Holsten, was a dwarfish lad about 16 years of age, and whilst standing at the bar among his colleagues, chewed his quid and spurted his tobacco juice around him with the air of a veteran. The members of the fraternity bear on their arms decorations, impressed with India ink, gunpowder and vermillion, indicating we presume, their proficiency in their profession and their rank in the corps.

One had on his left arm an impression with India ink or gunpowder, a foul anchor, a death's head and the letter T. Others had a foul anchor and the letter T—some few—the recently initiated—a vermillion cross—others, part of a red cross.

Some of these individuals had been committed on former occasions—one of them, in the course of the last five years, eight or ten times. Three of the gang were sentenced to seven years confinement in the penitentiary.

—

The following disgraceful occurrence is said to have happened in the state of *New York*—

A correspondent at Jamesville writes us as follows: "A most disgraceful circumstance recently occurred at Orville, Onondaga county. About twenty persons assembled at the house of Mrs. Tyler, (whose husband is in the state prison) between 8 and 9 o'clock in the evening, broke open the door, entered her bed room, gagged and took her off about a mile and a half to a barn, stripped her, and then tarred and feathered her all over. She was found in this state in the barn, on the following morning, and assisted to return to her dwelling. It is said the cause of such disgraceful proceedings was the fact that Mrs. Tyler's fame was considered doubtful in the neighborhood. Most of the offenders are bound over in $1,500 each to appear and answer."

—

We find the following in a Philadelphia paper entitled "*the Democratic Herald,*" of Wednesday last:

"*Judge White—the presidency.* The present attitude of judge White, of Tennessee, appears rather calculated to produce an impression of division in the democratic ranks of a serious character. But this danger will vanish, when we reflect, that if it should appear formidable when the national convention meet, that body will dissipate it in a few minutes by the NOMINATION OF ANDREW JACKSON FOR A THIRD TERM; a measure every way calculated to avert the defeat of the democratic party by the whigs—and more than justifiable by every principle involved in the contest of the party, who are fighting for *popular rights and democratic government.*"

—

A mercantile house in this city has received a letter from a gentleman in St. Mary's a border town in Georgia, on the river St. Mary, which separates Georgia from Florida. It is a shocking picture of the state of society in a certain class. [*Philadelphia U. S. Gaz.*

St. Mary's, Geo. Saturday, 21st February.

On Wednesday night the most brutal, cowardly and horrible murders, were committed by Tom King, 3d and sons, on Nancy Casey and young James Scott, and it is presumed by this time Baldwin Casey is also dead. Mr. Demot and old Mrs. Casey both dangerously wounded.

It appears that on Wednesday night, after tea, King's oldest unmarried daughter, about 18 years old let his flat adrift, so *he* could not follow and jumped into the boat, and paddled over the river, and met William Casey, to whom she was married. King mustered his sons, John, George, Hiram and Josiah, and crossed the river at my place, (which you know is one mile below him), where he was joined by William and Simeon Rouse. They had sworn vengeance whenever this marriage, which they expected should take place. They all proceeded to John Casey's house, the door of which was shut. John King burst open the door, and said "there the way is clear." He with the two Rouses remained at the door. King and his other sons entered, and the old man went up to Mrs. Casey, cursed and stabbed at her. Demot and Scott had just accidentally stepped in to warm themselves. Demot partly caught the blow on his arm, which was aimed at Mrs. Casey, and it severed her breast through, and King caught Demot round the waist and stabbed him in the back. Scott attempted to pull King off of Demot, when Hiram stabbed him. Scott retreated and Hiram pursued—cut his bowels through in several places. He staggered about eighty feet and fell to rise no more. King then went up to Nancy Casey, she begged for her life; said she had done him no harm, and to have compassion on a defenceless woman, with a child at her breast. He stabbed her twice; I believe she ran a little way, fell and expired. The next day, her child was found, vainly endeavoring to extract nourishment from the breast of a corpse. Baldwin Casey had been a little frost bitten. George King *went to his bed*, and stabbed and cut him as he lay, three times—his bowels completely cut through in several places; and Dr. Holland, who sewed them up and gave the foregoing relation, says he cannot possibly live. From their conduct and threat, it is supposed their design was, to kill all they found at Casey's, and thus destroy all evidence. The young couple, it appears, happened to go to Muzzle's, about 8 miles off, instead of to Casey's, and thus escaped the fate which awaited them. They have not even the miserable excuse of drunkenness. All the murderers were sober at that particular time. King had been drinking a day or two before. All of them fled, except John King and the two Rouses, who, as they did not use knives, thought nothing could be done to them. They are now in jail at Jefferson, but the old man and his other sons have fled.

—

Mr. Williams' "*New York Register*" is published. It is the most valuable work of its kind in the United States—giving the particular statistics of the state. The legislature has taken a copy for each member.

The *Constitution* frigate, capt. Elliott, has arrived at New York.

The bill to incorporate the *Merchants' bank of Baltimore*, with a capital of two millions, has become a law; and so has the bill to extend the charters of the other banks until the year 1855–8—on certain conditions. *And the great internal improvement bill will pass.*

The *Richmond Compiler* says—We are sorry to say our anticipations, concerning the proposed aid from Virginia to the Chesapeake and Ohio canal, have again been disappointed.

The bill to enable this company to contract a loan was lost in the senate, on Saturday, by one vote. Several members were absent who were friendly to the bill.

A most laughable circumstance occurred in the senate chamber of the United States, on Saturday forenoon, during the course of balloting for printer. Dr. Linn, of Missouri, in the heat of the engagement, instead of his ballot, deposited a check for $500, which he had just received from the sergeant-at-arms.

From a report made to the senate of New York it appears that the down freight on the state canals has nearly doubled in eight years, and the up freight has more than trebled in the same time. The total value of the products brought down the canals to tide water during the last season, may be estimated at more than fourteen millions of dollars.

The New York Journal of Commerre says that the loans of the branch bank in that city, are, at this moment, over eight millions of dollars, or two millions greater than ever before.

—

The Philadelphia Inquirer of Monday says—"We learn that orders have been received here for the immediate completion of the two vessels of war on the stocks at our navy yard."

—

ILLINOIS. We have been favored with the perusal of a letter from a gentleman in Vandalia, dated the 11th inst. from which we learn that the canal bill has become a law, and that the work will be commenced early in the spring. When this canal is completed it will connect the head waters of Illinois with Lake Michigan. The capitalists of our state have now only to prosecute with vigor the contemplated Hudson and Erie rail road, in order to complete a regular and uninterrupted channel of intercourse between Illinois and New York.

We also learn, from the same letter, that the State bank bill has passed both houses, and now only wants the sanction of the council of revision to become a law. The capital of this bank is 1,500,000 dollars, with privilege to increase it a million more. It also has power, by its charter, to borrow one million to loan on real estate, at one half its cash value, at the rate of ten per cent. per annum. The mother bank is to be located at Springfield, with five branches in different parts of the state. The writer expresses the opinion that the passage of this bill

will advance the interests of the state at least ten years. Emigrants were flocking into the state from all quarters, and several thousands were waiting at St. Louis for the opening of the spring. [*N. Y. Gaz.*

THE MAHONING CANAL BILL PASSED. We have the pleasure, this week, of communicating to our readers, the important intelligence, that the canal bill has *passed* both branches of the legislature. The following letter from our senator, Mr. Lyman, to a gentleman of Pittsburgh, tells the story:

Columbus, Feb. 20, 1835.

Dear sir: The bill to amend an act, entitled "an act to incorporate the Pennsylvania and Ohio canal company," has passed both branches of the legislature. It is now settled that our canal *will* be *made*. I shall forward a copy of the *act*, immediately. After having secured to the company the *right* to make the canal, so that there can be *no failure!* We are now making every effort to engage the state to take it, and we meet with considerable encouragement, as well as with the most bitter and determined opposition. Yours respectfully,

DARIUS LYMAN.

PRESIDENT OF THE SENATE. At 6 o'clock, on the evening of the 3d instant, pursuant to a notice previously given to the senate, the *vice president* retired from the chair, to enable the senate to elect a president *pro tempore*. Whereupon

The following ballotings took place for a president *pro tem.*

	First ballot.	*Second.*	*Third.*	*Fourth.*
Mr. *Tyler*	15	15	20	25
Mr. *King*, of Alabama	18	20	21	19
For various others	11	7	4	1

Mr. *Tyler* having received a majority of the whole number of votes on the 4th ballot, was duly elected, and being conducted to the chair, made his acknowledgments to the senate in the following address:

Senators: In calling upon me unexpectedly to preside over your deliberations, you have conferred upon me a testimonial of your respect and confidence upon which I place the highest value. I accept it with gratitude, and shall fondly cherish its recollection. You are the representatives of sovereign states, deputed by them to uphold and maintain their rights and interests. Unlike the Roman senate, so much vaunted of in ancient story, you owe your elevation to the high seats which you occupy, to no adventitious circumstance of birth or fortune, but to the ennobling traits of intellect and virtue. And what citizen of any one of these states can fail to be proud of you? Who can reflect without high satisfaction on the daily display of intellectual vigor constantly manifested in the debates which here occur. Party contests may divide and sever—those contests constitute the organic principle of free states—you may severally, in your turn, have become the objects of attack and denunciation before the public; but there is not, and cannot be, an American who does not turn his eye to the senate of the United States, as to the great conservative body of our federal system, and to this chamber as the ark in which the covenant is deposited. To have received, therefore, at your hands, this station, furnishes to me abundant cause for self gratulation. This feeling is not diminished by the fact that but few hours now remain to this session, and that I shall be probably called upon to render but little active service in this place. Upon this circumstance, I congratulate both you and myself—for although I have, for the greater portion of twenty years, been connected with legislative bodies, this is the first time I have ever been called upon to preside over the deliberations of any; and I have only sought so far to make myself acquainted with the rules of parliamentary proceeding, as to avoid any flagrant violation of them in my personal conduct. For the short period which will now elapse prior to your adjournment, I claim, and shall, doubtlessly, receive at your hands, for the defects which I may exhibit, and the errors into which I may fall, a liberal indulgence.

BEAUTIES OF THE PRESS!

We beg the democracy of this city to keep a close watch on the conduct of their PERJURED *misrepresentative*, Charles Henry Hall. It will be seen that in the assembly on Thursday, he moved the appointment of a board of rail road commissioners. The object of this motion, no doubt, is to facilitate his designs with regard to the Harlæm rail road bubble. We should not be surprised if that unscrupulous individual should yet manage matters so as to saddle that worthless rail road on the people of this city. To the democracy, we say, bear a wary eye! *N. Y. Eve. Post.*

The *Republican Herald* of Providence, Rhode Island, has the following paragraph:

"The committee of the U. S. senate have acquitted George Poindexter for the want of sufficient evidence. The jury at Newport acquitted E. K. Avery for the same reason."

Captain *Tilden*, of the brig Susan, of Baltimore, was lately killed at Trinidad, Cuba, by his black cook, whom he had previously chastised for his impudence. The fellow struck him on the back of his head with an axe, and then, with the blade of it, severed his jugular vein. The cook was delivered over to the consul at that place.

Returns for 1834 have been received, of the state of the public schools in 261 towns in the state of Massachusetts.

The number of school districts is	2,251
Male children attending school, from 4 to 16 years of age	67,499
Female children, do. do.	63,728
Over 16 and under 21, unable to write and read	158
Male instructors	1,967
Female do.	2,388
Amount raised by tax to support schools	$310,178
By contribution do.	15,141
Average number of scholars attending academies and private schools	24,749
Estimated amount paid for tuition in academies, &c.	$276,575

There are about 310 towns in Massachusetts.

The following is the report of the committee appointed on behalf of the Snow Hill sufferers:

We acknowledge to have received on behalf of the committee for distributing donations from abroad to the sufferers by the late fire at Snow Hill, the following sums:

From the citizens of Philadelphia	$4,500 00
From the citizens of Baltimore	1,670 00
From the citizens of Lancaster, Pa.	364 90
From the citizens of Smyrna, Del.	72 00
From the M. E. church, Wilmington, Del.	31 00
From the M. E. church, Elkton, Md.	30 00
From the hon. Isaac McKim	50 00
From James W. Williams, Harford county, Md.	10 00
From Dr. Thomson Holmes, Accomack county, Va. to be distributed by a member of the committee, in cash and provisions	20 00
From hon. H. P. C. Wilson, senate, Md.	10 00
From the citizens of Vienna, Dorchester county, Md.	40 00
From James M. Fooks, Worcester county, Md.	11 25
Total	$6,869 56

JOHN S. MARTIN,
IRVING SPENCE.

Snow Hill, Jan. 22, 1835.

To the above may be added, $216, received from the citizens of Salisbury, Md.

The "Westminster Review" says—

If an American a few weeks ago had insulted an Englishman by asking him, how he could live under a government where the arbitrary power of arresting the whole course of public policy at a moment's warning was lodged in a single individual, and that individual not in any shape selected for the purpose by a nation, but taken by hereditary descent, and consequently liable to be, in the celebrated words of archdeacon Paley, "the feeblest and worst of the whole set, a child, a woman, a madman or a fool;" and who moreover through the operation of absurd laws, was exposed to almost the necessity of surrounding himself with an illegitimate offspring in his youth, and with the counsels of a foreign wife in his old age, thus systematically providing an inlet for the exercise of the two influences most wounding to national honor, and coolly making them integral portions of the government.

If he had asked him how a nation was to be respectable in its connexions with foreigners, when in the midst of the most prosperous negotiations, every foreign agent might twit the ambassador with the possibility of his being upset next post by the agency of such a perilous contrived machinery at home, and the people's interest in the most important scheme of policy might be peremptorily stayed at the pleasure of an individual as above, and laid under the same kind of loss and disadvantage that would accrue to an army from the power of at any critical moment inserting the enemy's general in lieu of its own, and leaving to the army the chances of future recovery.

If an American had said all this, he would have been answered boldly that it was an exaggeration and a falsehood."

An extraordinary cause is assigned by a French editor for the late ministerial change in Great Britain. Its chief object is said to have been, to effect the marriage of the princess Victoria, the queen that is to be hereafter, with the second son of the prince of Orange, instead of to the prince of Wurtemburg, for whom the Grey ministry had destined her. This change has been made, it is added, through Russian influence and the intervention of the present queen of England. The marriage is pressingly urged, and it is thought it will take place before the meeting of parliament, so that in case of the fall of the ministry, the tories will still, during their short reign, have secured for the future queen of England a partner who will be under their influence. The recent visit of the prince of Orange to London is said to have had this object.

A correspondent of the Albany Advertiser states, that "taking all the strong and small beer together that is brewed in England, it gives two barrels per annum to every man, woman and child, and if collected would float all the navy in commission." No wonder that John Bull is of so portly appearance.

ASSAULT ON MR. EWING.

A motion was then made to adjourn, but withdrawn at the request of the *speaker*, who laid before the house the following letter from Mr. *Ewing*, of Indiana.

Washington city, February 28th, 1835.

To the speaker of the house of representatives.

SIR: My situation compels me to apologise to the house, and through you, to my constituents, for my absence from my seat. While on my way to the boarding house, after the adjournment on the evening of the 26th inst. I was way-laid, and assaulted in the most outrageous and dastardly manner, by John F. Lane, a *lieutenant in the army*, and son of the honorable A. Lane, of Indiana, for no other known cause than for words spoken in debate some weeks since, in reply to his father on the floor of the house of representatives.

I had but a casual acquintance with the person who committed the outrage, and no intercourse whatever with him to lead to this assault. A blow from an iron cane, with a leaded head, accompanied the first notice of his intention, to attack me, and was repeated by several others, with a violence which I regret to say, at this important and pressing period of the session, has entirely disabled me from taking my seat. I have the honor to be, sir, your obedient servant,

(Signed) JNO. EWING.

—

Washington city, 1st *March*, 1835.

MESSRS. BLAIR & RIVES: I hope it will not be deemed improper in me to allude to the principal errors in the statement made by the hon. John Ewing, of the unfortunate rencontre between him and myself, and thus induce a suspension of opinion until the facts are officially exhibited.

Having accidentally met with Mr. Ewing, I took occasion, courteously, to request an explanation of a supposed injury. He chose to cut short the conversation; virtually refusing the explanation, he declared himself prepared to meet me *then*, and uttering a threat, thrust his hand into his breast pocket for the purpose, as I supposed, of drawing a pistol. In self defence, I then made use of a slender walking cane, my only weapon. It was soon broken. I subsequently treated him with the utmost forbearance, simply repelling the attacks which he successively made with his stick and sword.

The injury of which I desired explanation was purely personal, having no relation in any way to politics, and referring to myself and other persons, unable to act for themselves. The facts, that Mr. Ewing is a member of congress, and I an officer of the army, are for me unfortunate. Yet the first does not surely confer on Mr. Ewing the privilege of murdering—nor the second, impose on me the duty of being murdered—with impunity.

I had prepared a statement of the affair to be submitted to Messrs. Boon, Carr, Hannegan, Kinnard and McCarty, of our state, (Indiana), with a request that they would examine and decide upon it. I placed my commission as an officer at their disposal. Should they think it necessary as an example, or expedient to prevent an unfavorable impression against the army, that I should be deprived of it.

The investigation commenced by a military court at 12, A. M. of the 28th, and a second investigation directed to be made by a committee of congress, have taken the affair out of my own hands.

As Mr. Ewing is a foreigner, and like myself, a single man—as the affair itself is purely personal, and as the affray was brought on by Mr. Ewing's hastiness of temper—I respectfully express the hope, that it will be judged by the facts—that politics will not in any way, be permitted to interfere with it, and that the occurrence will be spoken of impartially. I am, most respectfully, your obedient servant, J. F. LANE.

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A card—Mr. Ewing, of Indiana, will enter into no newspaper controversy with lieut. Lane, of the army, whose cowardly and assassin-like conduct is attempted to be covered by his note in this morning's Globe. It becomes Mr. Ewing only to state, for the information of his friends at a distance, that the representations of that individual, in relation to the assault, are utterly destitute of truth.—*March 2d.*

[Mr. *Ewing* may be a "foreigner" by birth—but he served his *apprenticeship* in *Baltimore!* The case related to a controversy in the house between Mr. *Ewing* and Mr. *McCarty*, of Indiana, on the one part, and Mr. *Lane*, (THE FATHER), on the other. It is said, that the president has ordered a court of inquiry into this affair. We hope such is the case. There must needs be an end to all legislation, if an officer of the army or the navy is permitted to raise his hand against a member of congress, for words used in debate! He should be struck from the roll, on the simple fact appearing—as well as be otherwise punished.

We have a statement of an examination of the case, by a committee of the house, but cannot give it, just now. They state the facts of the assault—but say that, as but a few hours of the session remained, they had declined suggesting any steps for the consideration and adoption of the house.)

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And here we have another case of the kind!—members of congress, must not only be subject to a call to order, but *subject to a call out!*

The following note, published in the Globe, has reference to a challenge said to have been sent by *lieut. Barry of the army*, son of the postmaster general, to the hon. Wm. C. Johnson, of this state, for words spoken in debate on the post office bill.

House of representatives, March 3d, 1835.

MESSRS. BLAIR & RIVES: In justice to both gentlemen we take great pleasure in saying to their friends that the personal differences and misunderstanding, growing out of the remarks of the hon. Wm. Cost Johnson on the floor of the house of representatives, in relation to the hon. W. T. Barry, postmaster general, have been fairly and honorably adjusted, to the full satisfaction of all concerned, by their mutual referees and friends.

RH. M. JOHNSON,
H. A. WISE,

—

The above communication is approved by us as the friends of the parties concerned.

BALIE PEYTON,
JAS. P. HEATH.

[We shall insert Mr. *Johnson's* speech, and give some of the particulars, as we see them stated, as to the "calling of him out." Things are at a pretty pass—if such incidents are permitted.]

PENNSYLVANIA CONVENTIONS.

At a "democratic" convention held at *Harrisburg*, on the 4th inst. *Ner Middleswarth*, president, with six vice presidents, and four secretaries, the following proceedings took place:—

The officers of the convention being chosen, a committee was then appointed to report resolutions when the convention adjourned to 3 o'clock, P. M.

The convention met in the afternoon according to adjournment, when, after sundry resolutions were reported and adopted, it proceeded to vote for a candidate for governor, *viva voce*. JOSEPH RITNER, of Washington county, received all the votes of the conveniton but three from York county, which were given to *Joseph Lawrence*, a member of the convention. Mr. Lawrence arose, thanked the delegation from York, and requested that the vote for him might be withdrawn and given to Mr. Ritner, in order that the convention might be unanimous.

—

But the *great* convention of the "democratic" friends of Messrs. *Wolf* and *Muhlenberg*, which assembled on the same day, after three days of contention, agreed (51 to 41) to dissolve, and to meet at Lewistown, on the 6th of May. But a large party of the "Wolf men" met the same evening, and, having got over the panic and resolved to admit the disputed delegates, agreed to meet the next day to make a nomination, which they did—of which we have the following account from the Philadelphia "*Sentinel*," of the 8th instant:—

Harrisburg, March 7, 1835.

After the excitement which had been produced by the violent and previously concerted attempts of the minority to break up the convention, as soon as it should be determined, by a vote of the undisputed members, that the first set of delegates from Berks county were clearly entitled to their seats, according to the settled usages of the democratic party, had subsided, the impropriety of the last vote given yesterday was so obvious, that it was determined to continue the session to-day as usual.

The convention accordingly met this morning; the president, *James Thompson*, esq. and the other officers who had hitherto acted with him, took their seats, with the exception of judge *Bucher*, whose vacancy as one of the vice presidents, was supplied by the election of col. *Thomas McKeen*, of Northampton county.

A resolution was also unanimously adopted to expunge from the journal of yesterday, the votes on the question of a dissolution, as irregular, improper and void. A few vacancies, caused by the absence of delegates who had previously violated the instructions of their constituents, were filled by the delegates from the same districts, who had been duly authorised to perform that duty. Among the delegates thus introduced was col. *Jacob Kern*, the speaker of the senate, to act as a delegate from the senatorial district composed of the counties of Northampton, Lehigh, Wayne and Pike. The convention then proceeded to vote, *viva voce*, for a candidate for governor, when it appeared that GEORGE WOLF had received *eighty three* votes, and HENRY A. MUHLENBERG, *two* votes. *George Wolf* was accordingly declared to be the democratic candidate for the office of governor. A ticket for electors of president and vice president, and delegates to the national convention were then appointed, with instructions to support the nomination of MARTIN VAN BUREN for president. An able and eloquent address to the people of Pennsylvania was reported by a committee and unanimously adopted, and the necessary committees appointed. The convention then adjourned.

Of which the *Pennsylvanian*, of the same date, says:—

The following extract of a subsequent letter, gives a sketch of the high-handed and outrageous conduct of the minority delegates, after the formal dissolution of the convention.

Saturday, March 7, 1835.

During the night it seems that a secret caucus of certain individuals who had been members of the convention was held, at which it was determined to meet to day, and proceed to the nomination of a candidate for the office of governor. In pursuance of this determination, and without any notice having been given, and after a large number of the members had gone home, a meeting was held at the court-house, and to the amazement of every body, Mr. *Thompson*, president, who had the day before voted for the resolution dissolving the convention, appeared in the meeting and became its president. This irregular and disorganized meeting nominated George Wolf, &c. So great an outrage has never before been witnessed in our state. It evinces so desperate and reckless a spirit, that I want terms to express my astonishment and indignation at it. A fact worthy of notice is, that only a *minority* of the ninety-four who had been members of the *dissolved convention*, participated in this outrageous proceeding.

You may rely upon it that it will be considered an outrage upon the rights of the people, and it will overwhelm with defeat those who have been concerned in it, as well as their nominee. Indignation is expressed on every side at this singular measure, and it is supposed that no such result could have been produced if the convention had not been surrounded by an army of office-holders—judges, superintendents, collectors, supervisors, lock-keepers, aldermen, prothonotaries, registers, recorders, &c., who besieged the convention on every side, and urged men to desperation, who, if they had reflected, would never have committed an act so entirely indefensible.

They well knew that if the question was fairly presented to the people, the present incumbent could not be renominated, and they were equally certain that Mr. Muhlenberg would be nominated almost without an effort. This movement then of desperate men, has been made out of a fear to commit the question to the people, and in the vain hope that their voice can be stifled, and their indignation suppressed. The hope, however, is vain indeed: you may expect a burst of popular disapprobation which cannot be restrained. The people will assemble in convention at Lewistown, and speak in a voice of thunder. Mr. Muhlenberg will be there nominated, and you may rest assured that he will be elected by a triumphant majority. Mr. Muhlenberg has nothing to fear. If he shrink from the contest, he will be sacrificed, and with him the party; for no man in his senses can believe that such a nomination will be submitted to by a virtuous people.

And the same paper of Tuesday the 10th, says:—

VAN BUREN AND MUHLENBERG.

We have this day placed at the head of our columns the name of *Martin Van Buren*, for the next presidency, and that of *Henry A. Muhlenberg*, for the governorship of Pennsylvania, subject to the decision of the conventions to which their respective claims will be submitted; believing from signs which cannot be mistaken, that these distinguished democrats are emphatically the choice of the yeomanry of the keystone state. The people are aroused to action; they have taken the question into their own hands, and late events have shown that the days of interested dictation are over. The rallying cry is now *Van Buren and Muhlenberg!*

An unholy league has long existed in this commonwealth, the members of which have labored with a zeal worthy of a better cause, to bear down the people, to direct their choice, and to destroy in their view, the reputation of those men whose purity and patriotism were dreaded. Martin Van Buren was first selected as a victim. Every effort was made by the would be dictators, to render him odious to the democracy of Pennsylvania. But the current of healthy public opinion compelled them to abandon open hostility, and to labor for his destruction in secrecy and silence.

The same attempt to crush Henry A. Muhlenberg has been tried, and as we now see, with the same results. The people have risen indignantly to assert their rights, and to teach the men who thought that because they had sometimes been successful, when floating with the current, they could direct it where they pleased, that democracy is not to be deceived, led or driven, and that he who attempts to stem the tide, will meet a fate due to his presumption, and sink beneath the force of popular opinion.

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And so the matter stands, at present. The "Wolf party," by throwing themselves into the arms of Mr. *Van Buren*, hope to hold on—but the state *patronage* is much larger than that of the United States, and we shall see the result!

The meetings of the convention were very uproarious, and the parties speak of one another in terms that are not the most creditable.

MARYLAND.

Our city was thrown into a great commotion by the receipt of the following important intelligence from *Annapolis*—

Annapolis, March 7.

The bill providing for a loan of *two millions of dollars* to the Chesapeake and Ohio canal, and *one million* to the Susquehannah rail road, passed the house of delegates this morning, by the following vote:

YEAS—Messrs. Blakistone, (speaker) Dorsey, Ricaud, Hood, Kent, of A. A. Iglehart, Ridgley, Merrick, Dulaney, Ely, Wyse, Shower, Cottman, Jones, of Som. Dashiell, Teackle, Creighton, Scott, Bussey, Pratt, Gantt, Worthington, Key, Brewer, Wells, Gilliss, Bevans, Williams, Roberts, of Frederick, Annan, Brengle, Duvall, Cushing, Jones, of Baltimore, Kershner, Welty, Wharton, Weast, Harding, Gaither, Bell, McMahon, Bruce, Devecman—44.

NAYS—Messrs. Sothoron, Fowler, Welch, Kirby, Kent, of Calvert, Beckett, Laveille, Turner, of Calvert, Hughes, Carpenter, Dudley, Bruff, Richardson, Nichols, Ford, Nowland, Harlan, Thomas, Roberts, of Q. A. Lariman, Hambleton, of Q. A. Hearn, Johns, Moores, Burchenal, Carter, Turner, of Caroline, Hardcastle, Gittings, Trundle—30.

In consequence of which a few persons met together, and sent the following letter to the mayor—

Baltimore, 7th March, 1835.

To Jesse Hunt, esq. mayor of the city of Baltimore.

SIR: The undersigned being informed that the house of delegates have this day passed a bill to provide for the completion of the Chesapeake and Ohio canal to Cumberland, and for the completion of the Baltimore & Susquehannah rail road to York, in Pennsylvania, deem it expedient that the citizens of Baltimore should immediately and generally assemble in town meeting, to express their gratification at that event, and their anxious wish that the senate may approve an act, which, becoming a law, will render Maryland one of the most conspicuous states of the union—and therefore, they respectfully and earnestly ask you to call a town meeting, to be held at the Exchange on Tuesday morning, the 10th day of March, at 12 o'clock.

We have the honor to be, your fellow citizens,

SOLOMON ETTING,	WM. ROSE,
LUKE TIERNAN,	WM. C. SHAW,
H. NILES,	J. MCCLELLAN,
P. E. THOMAS,	JAMES WILKS, JR.
JACOB ALBERT,	WM. CRAWFORD, JR.
JOS. TODHUNTER,	SAMUEL JONES, JR.
GEO. WINCHESTER,	C. D. SLINGLUFF,
ASAHEL HUSSEY,	THOS. WM. HALL.
N. F. WILLIAMS,	

Mayor's office, Baltimore, March 7th, 1835.

The undersigned, fully concurring in the views expressed in the foregoing communication, respectfully requests his fellow citizens to assemble at the Exchange at 12 o'clock, on *Tuesday next*, the 10th instant, for the purpose of adopting such measures as may be deemed proper in relation to the bill recently passed by the house of delegates (and now pending before the senate) providing for the completion of the Chesapeake and Ohio canal to Cumberland, and the Baltimore and Susquehannah rail road to York. JESSE HUNT, *mayor*.

One of the largest meetings ever held in this city was convened in consequence, though the weather was very inclement, and was organised by the appointment of *Jesse Hunt*, mayor of the city, as president, and Messrs. col. *Moore*, *Samuel Hoffmam*, *Jacob Albert*, *Jacob G. Davies*, vice presidents, and Messrs. *Wm. Crawford*, jr. and *B. I. Cohen*, as secretaries.

Mr. *McMahon* presented the following preamble and resolutions, which he enforced with a powerful appeal to the citizens of Baltimore for a united effort in furtherance of the canal and rail road.

Whereas, The house of delegates in the general assembly of Maryland, have passed a bill, providing for the prompt completion of the Chesapeake and Ohio canal to Cumberland, and the completion of the Baltimore and Susquehannah rail road to York, in Pennsylvania, upon terms highly beneficial to the companies incorporated to construct those works, and in every way advantageous to the people of Maryland; and whereas, this meeting regard the early completion of those improvements as being necessary to the prosperity of this city and state; and also because the said bill wisely provides an ample fund, without taxation, for the support of public schools throughout this state, and the universal education of those who will control our destinies, and upon whose intelligence the welfare and safety of the state must ever depend—

Be it therefore

Resolved, That a committee consisting of 24 persons be appointed by the chair to proceed to Annapolis and respectfully communicate to the senate of Maryland the anxious wish and lively hope of this meeting, that the honorable body may approve and pass the aforesaid bill.

Resolved, That copies of these proceedings be transmitted to the general assembly of Maryland—and to the editors of the newspapers published in this state—and that this meeting now adjourn to reassemble upon notice to be given by the chairman, after the general assembly shall have definitively acted on the said bill.

The preamble and resolutions were unanimously adopted.

A resolution was passed presenting the thanks of the meeting to Mr. *McMahon*, for his eloquent address.

The meeting then adjourned.

The committee appointed by the chair, in conformity with the above resolution, are as follows. They will proceed to Annapolis this morning:

John V. L. McMahon,	N. F. Williams,
Samuel Moore,	James Howard,
Jacob Albert,	Joshua Vansant,
Charles Howard,	O. W. Eichelberger,
Samuel Jones, jr.	John Kettlewell,

Samuel Brady,	H. W. Evans,
George Winchester,	John S. Hollins,
Samuel Hoffman,	S. C. Leakin,
Jacob G. Davies,	James George,
H. Niles,	William Crawford, jr.
Walter Price,	James Swan,
Samuel House,	Doctor Reardon.

The following from the *Maryland Republican*, shews the method intended for a redemption of the debt.

Internal improvement—common school fund. It is proposed to lend the Chesapeake and Ohio canal company two millions of dollars, and to the Baltimore and Susquehannah rail road company one million of dollars, at six per cent—and to borrow the money, by issuing state stock, and selling this at an advance of not less than 15 per cent. and that this advance shall constitute a fund for the support of common schools. The fund or bonus will of course be $450,000, or upwards—and this being put out at compound interest, will become more than three millions of dollars, within 33 years—and its annual interest will be at least 180,000 dollars per annum: this fund it is proposed shall be distributed according to the ratio prescribed last year, for the distribution of $100,498 then divided amongst the several counties of this state, and the city of Baltimore—and the following tables have been carefully framed to shew the power of the said advance, at compound interest, at different rates and for several periods—and the distributive annual share of each county and the city of Baltimore, of the interest of that fund, after it shall have risen to three millions capital.

A table shewing the product of an investment of 450,000 dollars—compounded at different rates of interest, for 10—20—30 or 40 years.

Rate of int.	at 6 pr. ct.	5½ per ct.	5 per ct.	4½ per ct.
Ten years,	$805,950	768,600	733,050	698,895
Twenty "	1,443,430	1,312,890	1,194,018	1,095,545
Thirty "	2,585,260	2,242,350	1,943,900	1,705,813
Forty "	4,620,430	3,831,130	3,168,222	2,628,271

A table—shewing the distributive, annual share of the several counties of this state, and of the city of Baltimore—of the sum of 180,000 dollars, or the interest on three millions of dollars, the product at compound interest of 450,000 dollars—the least advance or bonus at which it is proposed to sell state stock, in aid of the Chesapeake and Ohio canal company and of the Baltimore and Susquehannah rail road company—the ratio of distribution being that which was prescribed in resolution No. 47 passed December session, 1833.

Allegany county,	$7,405
Anne Arundel,	8,740
Baltimore county,	13,875
City,	23,440
Calvert county,	5,635
Charles,	6,560
Frederick,	15,750
Harford,	7,960
Montgomery,	8,200
Prince George's,	6,835
St. Mary's,	6,345
Washington,	11,000
Caroline,	6,400
Cecil,	8,010
Dorchester,	8,750
Kent,	6,005
Queen Ann's	6,505
Somerset,	8,070
Talbot,	6,405
Worcester,	8,110
Total	$180,000

These proceedings have made us "all alive" in Baltimore. There is very little doubt but that the bill will pass the senate; and, if so, we have a moral certainty that these great works will be completed. We shall state the particulars hereafter.

THE SUPPRESSED LETTER FROM MR. SERRURIER, &c.

From the N. Y. Commercial Advertiser of March 7.

[By an arrival from Havre, with Paris dates of Jan. 31.]

On the 30th January the remaining documents respecting the American indemnity were presented to the chamber of deputies. What these papers were, we are not informed, excepting only the two following notes—the first from the French minister to M. Serrurier, briefly announcing the course the French government had adopted in consequence of the offensive language of the president's message, and enclosing to him the draft of a letter to be addressed to the American secretary of state—which draft is the second letter below, and we presume is none other than the suppressed despatch, which the American executive is about to make the subject of a special representation to the French ministers.

Paris, 14th January, 1835.

SIR: I have received the despatches you have done me the honor to address to me up to December 2, inclusive. The message of president Jackson has produced in France the effect you anticipated. The king's government cannot, evidently, dispense with repelling by a marked manifestation, a measure so offensive. His majesty has decided that you should leave the United States, after having delivered to Mr. Forsyth, the subjoined note, accredited M. Pageot as charge d'affaires. I announced this resolution to Mr. Livingston yesterday evening. Passports will be ready for him in case he should conceive that he ought to take his departure. Such, sir, are the measures which his majesty has thought necessary to maintain the dignity of France; but he has not thought that this high interest renders it necessary for us to go back from a determination which is dictated by good faith and justice. The bill relating to the American claims will be presented to-morrow to the chamber of deputies, but will contain an additional clause, authorising the employment of all or part of the 25 millions for indemnifying the subjects of France for all such losses as they may sustain in consequence of any measures to be adopted by the United States.

Draft of the note sent to M. Serrurier.

The undersigned, etc. has received orders to deliver the following note to the secretary of state of the government of the United States:

It would be superfluous to say that the message, addressed on December 1, to the congress of the United States by general Jackson, has been received at Paris with the most painful surprise. The king's government is far from supposing that the measures which this message recommends to the attention of the congress, will be adopted by that assembly. But even considering the document in question as a simple manifestation of the opinion which the president wishes to express as to the march pursued by the French government in this affair, it is impossible not to consider its publication as an act of the most serious nature.

The complaints made by the president against the pretended non-fulfilment of the engagements entered into by the king's government in consequence of the vote of April 1, 1834, are not only strange from the inexactitude upon which they are founded, but also because, from the explanations given to Mr. Livingston at Paris, and those which the undersigned gave direct to the cabinet at Washington, appeared not to have left any possibility of a misunderstanding upon points so delicate. It resulted in effect, from these explanations, that if the session of the chambers, which was opened on July 31 last, in order to comply with an express prescription of the charter was prorogued at the end of fifteen days, before the bill relative to the American claims announced in the speech from the throne, could be brought into discussion; this prorogation arose only from the absolute impossibility of commencing at a period so premature the legislative labors belonging to the year 1835.

It equally resulted that the motives which prevented the formal presentation of the bill in question during this first period of fifteen days had been drawn principally from the desire of better insuring the success of this important affair, by choosing the most opportune moment for offering it to the consideration of the newly elected deputies who possibly might have been prejudiced against it by the unusual eagerness shown in submitting it to them so long before the period when they would have to take it into discussion. The undersigned adds that, moreover, it is difficult to comprehend the advantages which would have arisen from such a measure, since it would have produced the results which president Jackson declared he had in view; that of announcing to congress the final conclusion of these long negotiations.

The president supposes it is true, that the chambers might have been reassembled before the last month of the year 1834, but even had the session been reopened some few weeks earlier, which, from several causes, is impossible, the most simple calculation will prove that under no circumstances could the decision of the chambers have been obtained, and *a fortiori* known at Washington on Dec. 1.

The king's government could not but believe that considerations so evident must have brought conviction to the cabinet of the United States, and the more so as no communication by that cabinet to the undersigned, or transmitted at Paris through Mr. Livingston, had afforded the least expectation of the irritation and misunderstanding which the message of December 1st has revealed in a manner so deplorable, and when even Mr. Livingston, coinciding with that judicious spirit which characterises him in that system of temporising and prudent forbearance adopted with a view to the common interests by the cabinet of the Tuilleries, had required, at the moment of the meeting of the chambers, that the presentation of the bill should be still deferred, in order that its discussion should not be mixed up with debates of another nature, the coincidence with which might alone compromise the bill.

This last obstacle had just been removed, and the bill was on the point of being presented to the chamber of deputies, when the arrival of the message, creating an astonishment at least equal to the just irritation it failed not to excite, forced the government to deliberate upon the part it ought to act. Strong in its good faith and dignity, it did not think that the inexplicable act of president Jackson ought to make it absolutely renounce a resolution founded upon principle and sentiments of good faith and good will towards a friendly nation. Although it cannot conceal from itself the extent to which the provocation from Washington has increased those difficulties which were already great, it decided to apply to the chambers to place at its disposal the twenty-five millions stipulated by the treaty of July 4. In the mean time, his majesty has resolved not to expose his minister to hear such language as that which was uttered on December 1. The undersigned has received orders

to return to France, and the transmission of these orders have been communicated to Mr. Livingston.

Extract of a letter from an American, dated Paris, 29th Jan.—Nothing has been done yet by the chamber of deputies. The opposition of all shades is striving might and main to produce a rejection of the treaty, but I do not believe it can succeed.

The government on the other hand is earnestly intent upon doing us justice, and the defence of the treaty will be entrusted to *M. Thiers*, by far the ablest man in the house. The subject is uppermost in all minds. The more it is investigated, the better it will be for us. Hitherto it was considered one of very little moment.

Extract of another letter, dated Paris, Jan. 22.—After I wrote last, I fell in with several persons in whose judgment I place much confidence. From M. Welles, I learnt that a party of about 30 members, who voted six months ago against the bill, have come round, and he thinks it will pass this time. *M. Gautier*, sub governor of the bank and a peer of France, told me that if nothing new of an irritating nature should be received from congress within a month or six weeks, he not only *thought* the chambers would pass the bill, but felt *sure* of it, and this opinion he formed after conversing with many opposition members.

Letter to the editor of the New York American, dated Havre, Feb. 1, 1835.—I shall not have time to write to you after the Estafette arriving from Paris. I have only to tell you, that according to all appearances, the bill for indemnity under Mr. Rives' treaty, will pass the chamber. The Lyons people, the Bordeaux people, and the uncertainty generally, as to the result of this affair, (which has had an unfavorable influence on commerce,) will not fail to have weight with the chambers. The tone of the opposition has lowered, and the government party seem to have plucked up courage of late. When the message arrived, the latter seemed to be undecided what to say. But little now is said of *national dignity*, and the cabinet were evidently afraid of the tier parti, among which they still have supporters on many questions, but Dupin had made them opposition on this. So you see the government had to fear the vote of the Carlists, republicans, and the party just mentioned. This is what count de Rigny means in his letter to Mr. Livingston, which you have seen. But whatever may be the result of the vote, which must now soon take place, rely upon it, the real spring to touch is the commerce of the country. And all who so view the subject, cannot but be pleased to see by the last accounts from Washington, that the president no longer thinks war will be *necessary* to obtain justice here.

Extract from a letter, dated Paris, Jan. 30.—At this stage of the rupture, and when it was stated that Mr. Livingston would depart the next day for England, every American in Paris approved the course, which it was supposed he had so promptly adopted. But Mr. L. seems to have considered that second thoughts are best in such cases—and after consulting with the diplomatic corps, residing at this court, he addresses a note to the French minister of foreign affairs, requesting an explanation of the note he had received, in which the passports were mentioned. He is answered, that that note needs no explanation. Mr. L. transmits a *second* note! and remains here, "pausing for a reply." Meantime, he has had an audience with the King*—and all this a week ago. It is understood that Mr. Livingston will not "take the responsibility" of leaving his post; but waits to be dismissed by this, or recalled by his own government. A more awkward affair never subjected two nations to the observation of others. *John Bull* speculates upon the chances of a war, in various moods; and should it take place, would doubtless speculate in another sense.

From all I can learn of what is "saying and doing" on the subject, I am inclined to adopt the opinion of those who seem to be best informed, that a bill providing for the American claim will be passed at the present session of the chambers, on the principle before mentioned. Should our government leave the matter upon a similar footing, the two parties will see there is nothing left to justify a war, and shake hands. * * *

M. Hyde de Neuville has addressed another letter to the *Echo Francais* on the subject of the American claims. He states no new fact of importance, but says he is acquainted with a great many which he may reveal hereafter. In the meantime he declares his opinion that the claims made by general Jackson are very exorbitant. The following is the most positive declaration on this subject contained in his letter, which is of great length: "I persist in thinking that the treaty ought to be rejected. A new negotiation may be opened upon different bases, and the United States will have no cause to complain, for their president has no power to engage the treasury. Every thing will then go in order, a great fault may be remedied, and if France is found to be indebted, every man of conscience will declare that she ought to pay her debt."

The following articles are from the "National Intelligencer" of Tuesday last—

The following is an extract of a letter from an American gentleman in Paris, to a member of the house of representatives, dated

Paris, January 31.

"I have nothing new here. The chambers have not yet acted upon the treaty, nor will they for several weeks. I have no doubt that they will pay the money, unless CONGRESS adopt some offensive and impolitic measure, which will be insulting to the pride of the nation.

"I send you a memorial of the manufacturers of Lyons, which places the question in a forcible point of view.

"A mere suggestion of a suspension of commercial intercourse was enough to induce the people of France to urge upon their deputies a speedy settlement of the question.

"It will be many years before France will be restored to that good feeling which was cherished for America and Americans, unhappily broken up by the language of the president. I hope congress have done nothing to aggravate the wound inflicted."

Another letter, from a gentleman whose means of information is as great as any one in Paris, says:

"The treaty will be executed. The ministers feel themselves stronger. Their journals speak out with more confidence, and the opposition appear to have exhausted their malice.

"A kind word from congress, expressive of their confidence in the honor and justice of France, will soothe their irritated feelings, and have a good effect."

The following is part of a letter from an American gentleman in Paris, last August, published in New York. If the government had acted upon this suggestion, the money would have been provided before this time. It is believed that Mr. *Livingston*, and Mr. *Rives*, were in favor of the course here recommended:

"There is but one way in which we can get our just indemnification, and that is, by passing a law, at the early part of the next session of congress, authorising the president, in the event of a failure to provide for it, at the next session of the chamber, to close all the ports of the United States against all French importations. This will cause great consternation throughout France—we consume one-fourth of their silks, and you will see such scenes at Lyons as were never seen before. If they retaliate by excluding our cotton and tobacco, they will ruin their lace and calico manufactories, and lose their monopoly of tobacco, which you know is now enjoyed by the government. We can get our silks and velvets from Italy, and send our tobacco to Holland. The people of France will bring them to justice. If threatening language is used by our government, it will be a pretext for not being coercive. If reprisals are resorted to, they will turn their quadruple alliance to account against us by getting the aid of Great Britain, under French commissions, to harass our commerce."

The following is a copy of a letter from a respectable mercantile house, dated

New York, March 7, 1835.

"DEAR SIR: Our letters to 31st January, from Paris, speak of the passage of the bill as almost certain. We trust it may so prove, and put an end to the present uncertainty so disastrous to trade. At the request of ——, we send you the address of the manufacturers of Lyons to the deputies, and remain truly, &c."

MR. LIVINGSTON'S LETTER.

[OFFICIAL.]

Department of state, Washington, 10th March, 1835.

Mr. *Livingston*'s answer to count *de Rigny*'s note, of the 13th January last, having been received at this department after the adjournment of congress, to whom that note was communicated, it is now made public by direction of the president of the United States.

Legation of the United States, Paris, January 29th, 1835.

His excellency *count de Rigny*,

minister, secretary of state of foreign affairs:

SIR: Having already had occasion to acknowledge the receipt of your excellency's letter of the 13th instant, and to answer that part of it which most urgently required my attention, I proceed to the consideration of the other matters which it contains. I shall do this with a sincere desire to avoid every thing that may excite irritation, or increase difficulties which already uniformly exist. Guided by this disposition, I shall confine myself to an examination of your note, considered only as an exposition of the causes which his majesty's government thinks it has to complain of the message sent by the president of the United States to congress, at the opening of its present session.

Your excellency begins by observing that nothing could have prepared his majesty's government for the impressions made upon it by the president's message, and that if the complaints he makes were as just, as you think them unfounded, still you would have reason to be astonished at receiving the *first communication of them in such a form*. If his majesty's government was not prepared to receive complaints on the part of the U. States, for the non-execution of the treaty, every thing I have said and written since I have had the honor of communicating with your excellency, and your predecessor in office, must have been misunderstood, or forgotten. I can scarcely suppose the first; for, if my whole correspondence is referred to, and my verbal representations recollected, they will be found in the most unequivocal language to express an extreme solicitude for the execution of the treaty—a deep disappointment at the several delays which have intervened, and emphatically the necessity which the president would be under of laying the matter before congress at the time, when in fact he has done so, if before that period he did not receive notice that the law had passed for giving effect to the treaty. To urge the obliga-

[*This report Mr. Livingston positively denies, in his letter to Mr. Forsyth, dated January 16th, in the last Register, page 16.]

tion of the treaty, to prepare his majesty's government for the serious consequences that must result from its breach, or an unnecessary delay in executing it, was my duty, and it has been faithfully and unremittingly executed. To my own official representation, on the 26th, I added, on the 29th July last, the precise instructions I had received, to inform his majesty's government that "the president could not avoid laying before congress, on the first of December, a full statement of the position of affairs on this interesting subject; or permit the session to end, as it must do, on the 3d March, without recommending such measures as the justice and the honor of the country may require." In this alone, then, there was sufficient, (independently of my numerous applications and remonstrances), to prepare his majesty's government for the just complaints of the United States, and for the "impression" they ought to produce, as well as for the "*mode*" in which they were communicated—a mode clearly pointed out in the passage I have quoted from my note of the 29th July—that is to say, by the annual message from the president to congress, which, as I have already had occasion to observe, his majesty's ministers have erroneously considered as addressed directly to them, and viewing it in that light, have arraigned this document as containing groundless complaints, couched in language not called for by the occasion, and offering for consideration means of redress offensive to the dignity of France. I shall endeavor, by a plain exposition of facts, to repel those charges; I shall examine them with the freedom the occasion requires, but suppressing the feelings which some parts of your excellency's letter naturally excite, will, as far as possible, avoid all those topics for recrimination which press upon my mind. The observation I am about to make will not be deemed a departure from this rule, because it is intended to convey information which seems to have been wanted by his majesty's minister, when on a late occasion he presented a law to the chamber of deputies. It is proper, therefore to state that although the military title of general was gloriously acquired by the present head of the American government, he is not, in official language, designated as *general Jackson*, but as "the president of the United States," and that his communication was made in that character.

I proceed now to the examination of that portion of your excellency's letter which attempts to shew that the complaints set forth in the president's message are groundless.

It begins by assuming, as a principle of argument, that after the chamber of deputies had rejected the law, and his majesty's government had promised to present it anew, the United States had, by receiving that promise, given up all right to complain of any anterior delays. I have vainly endeavored, sir, to find any rule of reasoning by which this argument can be supported. It would, undoubtedly, be much easier to strike off from the case the delays of two years in proposing the law, than to justify them.

It is true that the United States, with a moderation and forbearance for which they receive no credit, waited two years, almost without complaint, for the performance of a treaty which engaged the faith of the French nation to pay a just indemnity, for which they had already waited more than twenty years. It is true that his majesty's government offered solemn assurances that as soon as the constitution of the country would permit, a new attempt would be made to redeem the national pledge given by the treaty. It is true, also, that the president of the United States gave credit to those assurances. But it is also true, and your excellency seems to lose sight of that important uncontested fact, that formal notice was given that the performance of those promises would be expected according to their letter; and that he could delay no longer than the first of December, the execution of a duty which those assurances had induced him to postpone. Whatever reasons his majesty's government had for not complying with Mr. Serrurier's engagement, or however they may have interpreted it, the president could not be precluded from considering the whole case as open, and adding to this statement the wrongs occasioned by the delays anterior to the vote of rejection. Those delays are still unaccounted for, and are rendered more questionable by the preference given to another treaty, although subsequently made, for the guarantee of the great loan.

Confining your observations to this second period, you say that the reproaches which the president thinks himself authorised in making to France, may be comprised in the following words: "The government of the king had promised to present the treaty of July anew to the chambers, as soon as they could be assembled: but they have been assembled on the 31st July of the last year, and the treaty has not yet been presented." Stating this as the whole of the complaint, you proceed, sir, in your endeavor to refute it.

I am obliged, reluctantly, here to make use of arguments, which in the course of this discussion have been often repeated, but which seem to have made no impression on his majesty's government. I am obliged, in repelling the reproaches addressed to the president, to bring to your recollection the terms of the promise on which he relied, the circumstances attending it, and the object for which it was given. These must be fully understood and fully weighed before the question between us can be resolved.

The circumstances under which Mr. Serrurier's note was written are material in considering its true import. The payment, stipulated by a treaty duly ratified on both sides, had just been formally refused by a vote of the chamber of deputies; more than two years had passed since it had been proclaimed as the law of the land in the United States, and ever since, the articles favorable to France had been in constant operation. Notice of this refusal had sometime before been received by the president. It would have been his duty, had nothing else occurred, to communicate to congress this event, so unexpected and so injurious to the interest of the country. One circumstance prevented the performance of this duty, and justified the omission; the notice of the rejection was accompanied by information that the minister of France was instructed to make explanations and engagements on the subject; and that a ship of war would be despatched with his instructions. The president had waited a month for the arrival of this ship, an unusually long session of congress still afforded an opportunity for making the communication even after her arrival. If made, it would undoubtedly have produced consequences, the nature of which may be imagined by considering the events that have since occurred. It was necessary then to prevent an interruption of the friendly relations between the two countries, that this communication should be postponed until the subsequent session of congress; longer than that, it was well known that it could not be deferred. This was clearly and explicitly stated in a conference between Mr. Serrurier and the secretary of state of the United States, in which the former gave the promise in question. But the president desired to have the engagement in a written and official form, (and, as Mr. Serrurier expresses it in his letter), "pour des causes prises dans les necessites de votre gouvernement." What governmental necessity does he allude to? Clearly that which obliged the president to communicate these engagements to congress at the next session.

Here then we have a stipulation, made under special orders sent out by a ship despatched for that express purpose, communicated first verbally in the official conference, afterwards reduced to writing and delivered to the proper officers for the double purpose of justifying the president for not making an immediate communication at their then session—and also to serve as a pledge which he might exhibit, if unredeemed, at their next. These objects are well stated by Mr. Serrurier to be, "that the government of the republic may avoid with a providential solicitude, *in this unsettled state of things*, all that may become a cause of new irritation between the two countries, endanger the treaty, and raise obstacles that may become insurmountable to the views of conciliation and harmony which animate the counsels of the king." It was then to avoid a communication to congress which Mr. Serrurier saw would endanger the peace of the two countries that this engagement was made. Surely then every word of a stipulation, made under such circumstances, and for such important purposes, must have been duly considered, and its import properly weighed, first, by the cabinet who directed, afterwards, by the minister who delivered, and the government which received it.

What then was this engagement? First, that the government of the king will use every legal and constitutional effort which its preserving persuasion of the justice and advantages of the treaty authorise the U. States to expect from it. "Son intention est." (I quote literally), *enoutre*, (that is besides using those endeavors abovementioned), "de faire tout ceque *norte constitution permet* pour rapprocher autant que possible, lepoque de la presentation nouvelle de la loi rejettee." Your excellency cannot fail to have observed two distinct parts in this engagement; one relating to the endeavors the ministry promised to make in order to induce the chambers to pass the law; for the success of which they could not answer; another relating to the time of the presentation of the law, a matter which depended on them alone—restricted only by constitutional forms.

The promise on this point then, was precise, and could not be misunderstood. Whatever the *constitution of France permitted*, the government of France promised to do, in order to hasten the presentation of the law. What was the cause of this desire to bring the business before the chambers at an early day? No one can doubt it who knows the situation of the two countries; still less any one who has read the correspondence. It was to enable the president to make those statements to the next congress, which, relying on the engagements of the French minister, he had omitted to make to this.

It was clear, therefore, that more was required than the expression of a desire on the part of his majesty's ministers to execute the treaty; a desire, the sincerity of which was not doubted, but which might be unavailing, as its accomplishment depended on the vote of the chambers. For the president's satisfaction and for his justification too, an engagement was offered and accepted for the performance of an act which depended on his majesty's government alone—this engagement was couched in the unequivocal terms I have literally quoted.

This, sir, is not all. That there might be no misunderstanding on the subject, this promise, with the sense in which it was understood; the important object for which it was given; and the serious consequences that might attend a failure to comply with it, were urged in conversation and repeated in my official letters, particularly those of the 26th and 29th of July, and 3d and 9th of August last; in which its performance was strongly pressed.

The answer to these letters left no hope that the question would be submitted to the chambers in time to have the result known before the adjournment of congress; and by the refusal to hasten the convocation of the chambers before the last of December, showed unequivocally that so far from taking all measures permitted by the constitution to *hasten* the period of

presenting the law, it was to be left to the most remote period of the ordinary course of legislation.

This decision of his majesty's government contained in your excellency's note to me of the 7th August, was duly transmitted to the president, and it naturally produced upon his mind the impressions which I anticipated in my letters to your excellency that it would produce. He saw, with the deepest regret, that a positive assurance for convening the chambers as soon as the constitution would permit, was construed to mean only a disposition to do so, and that this disposition had yielded to objections which he could not think of sufficient force to justify a delay, even if there had intervened no promise; especially as the serious consequences of that delay had been earnestly and repeatedly brought to the consideration of his majesty's government. In fact, sir, what were those objections? I do not speak of those which were made to presenting the law in the session of July last; for, although no constitutional impediment offered itself, yet it was strongly insisted on, because an early session in the autumn would have had the same effect, and the president, for the same reason, says, that it might have been overlooked if an early call of the chambers had been made. They are the objections to this call then which immediately demand our attention. What, in fact, were they? None derived from the constitutional charter have been or could have been asserted. What then were they? Your excellency's letter, of the 3d of August to me, contains none but this: "his majesty's government finds it impossible to make any positive engagement on that point." In that of the 7th of August there are two reasons assigned: first, the general inconvenience to the members. This the president could surely not think of alleging to congress as a sufficient reason for omitting to lay the matter before them. The next, I confess, has a little more weight, and might have excused a delay, if the assurance given by Mr. Serrurier had been, as your excellency construes it, merely of a *disposition* to hasten the presentation of the law. If the engagement had amounted to no more than this, and his majesty's ministers thought that an early call would endanger the passage of the law, it might possibly justify *them* in not making it. But the president, who relied on the promise he had received, who, in consequence of it, had deferred the performance of an important duty; the president, who had given timely and official notice that this duty must be performed at the opening of the next congress; the president, who could see no greater prospect of the passage of a law in a winter than in an autumnal session; how was *he* to justify himself and redeem the pledge he had made to his country? He did it in the way he always does, by a strict performance.

From this detail, your excellency will, I hope, see that the president's causes of complaint cannot, as you suppose, be confined within the narrow limit you have assigned to them. The failure to present the law in the session of July, was not the only, nor even the principal point in which he thought the engagement of Mr. Serrurier uncomplied with; for although he saw no reason for the omission that could be called a constitutional one, yet he expressly says, that might have been overlooked. He always, (it cannot too often be repeated) looked to the promise of Mr. Serrurier, as it was given at Washington, not as it was interpreted at Paris; and he had a right to believe that as on previous occasions the legislature had, in the years 1819, 1822, 1825 and 1830, held their sessions for the transaction of the ordinary business in the months of July and August; he had a right, I say, to believe that there was no insurmountable objection to the consideration of this extraordinary case enforced by a positive promise. Yet, as I have remarked, he did not make this his principal cause of complaint; it was the omission to call the chambers at an earlier period than the very end of the year.

On this head your excellency is pleased to observe, that the same reasons, drawn from the usual course of administration, which rendered the presentation of the law in the session of July impossible, applied with nearly the same force to a call before the end of the year, and you appeal to the president's knowledge of the "fixed principles of a constitutional system," to prove that the administration under such a government is subject to regular and permanent forms, "from which no special interest, however important, should induce it to deviate." For this branch of the argument it unfortunately happens that no regular form of administration, no fixed principle, no usage whatever, would have opposed a call of the chambers at an early day, and the rule, which your excellency states would not be broken "in favor of any interest however important," has actually been made to yield to one of domestic occurrence. *The chambers have just been convened before the period which was declared to be the soonest at which they could possibly meet.* Your excellency will also excuse me for remarking that, since the first institution of the chambers in 1814, there have been convocations for every month of the year, without exception, which I will take the liberty of bringing to your recollection by enumerating the different dates. The chambers were summoned for the month of January in the years 1823, 1826 and 1829; for February in 1827 and 1829; for March in 1815, 1824 and 1830; for April in 1833; for May in 1814; for June in 1815, 1822 and 1825: for July in 1834; for August in 1830 and 1831; for September in 1815; for October in 1816; for November in 1817, 1818, 1819, 1821 and 1832; and for December in 1820, 1824, 1826 and 1833. It is then clear to demonstration that neither constitutional impediment, nor stern inflexible usage, prevented such a call of the chambers as would have complied with the letter of Mr. Serrurier's engagement. Since I have alluded to the actual meeting of the chambers on the 1st of December, it is but candid to allow that even this period would not have enabled the president to have attained one of his objects—the presenting of the result of their deliberations to congress in his opening message; but even that slight concession, if it had been made to my unceasing applications, might have given an opportunity of conveying their decision to congress before the 4th of March, when they must adjourn; because, had that day been then determined on, every thing would have been ready to lay before the chambers on the opening of the session, but a meeting a month or six weeks earlier would have given ample time for deliberation and decision in season to have it known at Washington on the first of December.

The necessity of giving time to the new members to inform themselves on the nature of the question, and the old ones to recover from the impression which erroneous statements had made upon their minds, I understand to be the remaining motive of his majesty's ministers for delaying the meeting. But this was a precaution, which, relying on the plain obligation of the treaty, the president could not appreciate, and he must, moreover, have thought that if a long discussion was necessary to understand the merits of the question, it was an additional reason for hastening the meeting where those merits were to be discussed. The delay that occurred between the meeting of the chambers and the first of January, need not have entered into the discussion, because, not long known at Washington, it could not have had any influence on the message. It is referred to, I presume, in order to show that it was produced by a desire, on the part of his majesty's ministers, the better to assure the passage of the law. Of this, sir, I never had a doubt, and immediately so advised my government, and informed it, as was the fact, that I perfectly acquiesced in the delay; first, because of the circumstance to which you allude; secondly, because the statements, originally intended to be ready by the first of January, were not yet prepared. There is a slight error in this part of your excellency's letter; the delay was not made at my request, but was fully approved of, for the reasons which I have stated.

I have entered into this detail, sir, not for the purpose of recrimination, which, in most cases useless, would in this, be worse. But with the object, as was my duty, of showing that although the ministers of the king, under the interpretation they seem to have given to Mr. Serrurier's promise, may have considered themselves at liberty to defer the presentation of the law until the period which they thought would best secure its success, yet the president interpreting that promise differently, feeling that in consequence of it he had forborne to do what might be strictly called a duty, and seeing that its performance had not taken place, could not avoid stating the whole case clearly and distinctly to congress, and detailing to them all the remedies which the law of nations would allow to be applied to the case, leaving to them the choice, leaving to their wisdom and prudence the option of the alternative of further delay or conditional action. Could he have said less in this branch of his message? If he alluded to the subject at all, he was obliged to detail the circumstances of the case: it is not pretended that this is not done with fidelity as to facts. The ratification of the treaty, its effect in pledging the faith of the nation, the fidelity with which the United States have executed it, the delay that intervened before it was brought before the chambers, their rejection of the law, the assurances made by Mr. Serrurier, the forbearance of the president to make a communication to congress in consequence of those assurances, and the adjournment of the question by his majesty's government to the end of the year; none of these have ever been denied, and all the president was obliged to bring before congress, if, as I have said, he spoke on the subject. But he was obliged by a solemn duty to speak of it, and he had given timely and repeated notice of this obligation. The propositions which he submitted to congress in consequence of those facts were a part of his duty; they were, as I have stated, exclusively addressed to that body, and in offering them, he felt, and expressed a proper regret, and doing justice to the character and high feeling of the French nation, he explicitly disavowed any intention of influencing it by a menace.

I have no mission, sir, to offer any modification of the president's communication to congress, and I beg that what I have said may be considered with the reserve that I do not acknowledge any right to demand, or any obligation to give, explanations of a document of that nature. But the relations which previously existed between the two countries, a desire that no unnecessary misunderstanding should interrupt them, and the tenor of your excellency's letter, (evidently written under excited feeling), all convinced me that it was not incompatible with self-respect and the dignity of my country, to enter into the detail I have done. The same reasons induce me to add that the idea, erroneously entertained, that an injurious menace is contained in the message, has prevented your excellency from giving a proper attention to its language. A cooler examination will show, that although the president was obliged, as I have demonstrated, to state to congress the engagements which had been made, and that in his opinion they had not been complied with—yet, in a communication not addressed to his majesty's government, not a disrespectful term is employed, nor a phrase that his own sense of propriety, as well as the regard which one nation owes to another, would induce him to disavow. On the contrary, expressions of sincere regret that circumstances oblig-

ed him to complain of acts that disturbed the harmony he wished to preserve with a nation and government to the high characters of which he did ample justice.

An honorable susceptibility to every thing that may, in the remotest degree, affect the honor of the country, is a national sentiment of France; but, you will allow, sir, that it is carried too far when it becomes impatient of just complaint, when it will allow none of its acts to be arraigned, and considers as an offence a simple and correct examination of injuries received, and as an insult, a deliberation on the means of redress. If it is forbidden, under the penalty of giving just cause of offence, for the different branches of a foreign government to consult together on the nature of wrongs it has received, and review the several remedies which the law of nations present, and circumstances justify, then no such consultation can take place in a government like that of the United States, where all the proceedings are public, without at once incurring the risk of war, which it would be the very object of that consultation to avoid.

The measures announced in the close of your letter, as well as the correspondence that it has occasioned between us, have been transmitted to my government, and I wait the instructions which that communication will produce.

I pray your excellency to receive the renewed assurance of the high consideration with which I have the honor to be your most obedient humble servant,

(Signed) EDW. LIVINGSTON.

REPORT ON OUR RELATIONS WITH FRANCE.

IN THE SENATE.

On the last day of the session of congress, Mr. *Clay*, from the committee of foreign relations, made the following report, which we have not been able earlier to lay before our readers:

The committee of foreign relations having duly considered the message of the president, of the 25th February, 1835, with the correspondence accompanying it, ask leave now to submit to the senate the result of their deliberations in the following report.

In the former report of the committee, made on the 6th January, 1835, they communicated to the senate the veiws, at large, which they entertained of the controversy unhappily existing between the United States and France, respecting the non-execution of the treaty of indemnity, upon the state of information which the committee then possessed. They believed, from all the evidence within their reach, that the king of France was sincerely desirous, in good faith, to fulfil the stipulations of the treaty. The bill, to accomplish that object, had been rejected by a small majority; but its rejection was followed by a prompt assurance of the king's government that it should be again introduced, and its passage through the chambers urged by all the constitutional means at the command of his majesty. The president acquiesced in the delay necessary to make this new experiment, expressing, however, his expectation that no time would be lost in again presenting the bill, and that for this purpose an extraordinary meeting of the chambers would be convoked. This was not done; but, assuming the good faith of the king, the committee thought it not unreasonable to leave to him the selection of the time and circumstances under which, with the most probability of success, he might deem it best to submit the new bill to the consideration of the chambers. In that conclusion, the committee perceive themselves now fortified by an official and uncontradicted statement of the count de Rigny, contained in the note to Mr. Livingston, under date the 30th ultimo, in which the count says to him: "Their assemblage (that of the chambers) was not indeed immediately followed by the presentment of the bill relative to the American claims; but you, sir, know better than any other person, the causes of this new delay. You, yourself, *requested* us not to endanger the success of this important affair, by mingling its discussion with debates of a different nature, as their mere coincidence might have the effect of bringing other influences into play than those by which it should be naturally governed. By this *request*, you clearly showed that you had, with your judicious spirit, correctly appreciated the situation of things, and the means of advancing the cause which you were called to defend."

In that condition of the question, the committee thought it most proper to await the issue of the new appeal to the French chambers; and in the mean time, to abstain from the legislative adoption of the measure of reprisals, which might imply a distrust of the French government, and, by being construed into a menace, might prevent the passage of the bill. And here again the committee see, with satisfaction, that they are fortified by the opinion of Mr. Livingston. In his despatch to the secretary of state under date of 11th of January, 1835, he says: "Should congress propose commercial restrictions, or determine to wait to the end of the session before they act, this will be considered as a vote *against* reprisals, and then the law will be proposed, and I think *carried*." If the mere silence of congress would have had a tendency to allay the excitement in France, produced by the recommendation of the law of reprisals, a positive vote of congress against them was much more likely to effect that desirable object. But the committee thought that, whilst measures were in progress, in France, to secure an appropriation to execute the treaty, it was due, both to the confidence which had been reposed in the assurances of the king, and to the dignity of the United States, to studiously avoid all intimation of ulterior or contingent purposes.

The senate concurred in these sentiments of the committee; and on the 14th day of January, 1835, unanimously passed a resolution, declaring that it was inexpedient, at that time, to adopt any legislative measure in regard to the state of affairs between the United States and France.

The senate having then distinctly taken the ground of forbearance to adopt any legislative measures until the result should be known of the second appeal to the French chamber for the pecuniary means to execute the treaty, the committee have carefully and attentively examined the message of the president, and accompanying correspondence, now referred to them, to discover if they furnished any motives to change that ground.

The committee have perused parts of that correspondence with painful regret. It appears that the king of France, taking offence at the recommendation of the law of reprisals contained in the president's message, and especially with the imputation to him of bad faith, which he supposes to be conveyed in the same message, has recalled the French minister at Washington, directing him to be substituted by a charge des affaires, and has caused passports to be tendered to the American minister at Paris. Mr. Livingston, nevertheless, remained at the French court, awaiting the orders of his own government. These have been transmitted to him, and require the departure of the American legation from France, in the event of a second rejection of the bill of indemnity; and in that of the passage, Mr. Livingston's departure, leaving a charge des affairs.

Thus the original and inherent difficulties in the way of the appropriation of the fiscal means to execute the treaty, are in danger of being increased by a misunderstanding on collateral and subordinate questions. It is to be regretted that the French government, acquainted as it must be with the structure and constitutional distribution of power of the American government, did not wait the result of the deliberations of congress upon the president's recommendation, before it resorted to a suspension of diplomatic intercourse, through the customary organs. A delay of a few weeks would have borne to France intelligence that neither house of congress coincided in opinion with the president as to the expediency of authorising reprisals, in the present state of the relations between the two countries; and that the senate, by an unanimous vote, had pronounced any legislative measure whatever to be inexpedient.

The French minister has taken his departure, leaving the first secretary of the legation in charge with the affairs of his government. Without stopping to comment upon certain unpleasant occurrences between him and the secretary of state, immediately preceding his departure, the committee express their concurrence in the propriety of recalling Mr. Livingston under the existing circumstances, in both the contingencies which have been provided for in his instructions.

The recall of ministers is the usual preliminary of the actual commencement of hostilities. In this instance the committee are happy to find that no such consequence is likely to ensue, but, that, on the contrary, according to Mr. Livingston's opinion, it will probably prove to be the harbinger of an amicable adjustment, by removing the only cause which threatened a disturbance of the harmony between the two countries. The king of France, irritated by the president's message, has sought to heal his wounded sensibility by a recall of his minister. Being satisfied on that point, the king's government naturally turned their attention to the primitive source of whatever misunderstanding now unfortunately exists between the two governments, and again introduced into the chamber of deputies the bill to provide for the debt which the treaty of July contracts to pay. And Mr. Livingston states that he has very little doubt it will pass. Its fate is not, however, yet known.

Far from perceiving in the correspondence communicated by the president any motives to vary the position taken by the senate on the 14th of January last, all the considerations which united in recommending it, have acquired additional force from that correspondence. And the committee, therefore, conceive that the senate ought to adhere to the resolution which it then formed to await the result of the second appeal to the French chambers; and, in the mean time, to intimate no ulterior purpose, but to hold itself in reserve for whatever exigencies may arise.

Instead of feeling any necessity for legislating at present, on the contingency of a failure of the French chambers to make the requisite appropriation to fulfil the treaty, the committee cannot conclude the performance of the duty assigned to them, without expressing their congratulations to the senate on the prospect held out by Mr. Livingston of a termination of the misunderstanding between the two countries, and a consequent preservation of the peace yet happily existing between them. The bare possibility of the interruption of it, has filled the committee with the greatest inquietude. War, with all its train of sufferings, crimes, and cruelties, should never be resorted to but in the last extremity. A war with France, particularly, considering the ancient ties of friendship, which have hitherto bound the two nations together, and the manifest interest which both have in the cultivation of peace, would excite feelings of the most profound regret. A rupture, of which no one could foresee the probable termination, between two of the freest and most enlightened nations on earth, for a debt of only about five millions of dollars, not yet wholly due, and which, with its accumulating interest, must be ultimately paid, would exhibit to the civilized world a mortifying spectacle without a parallel, and injurious to both parties. Every aspect under which such a war can be contemplated, would be ominous. Limited as its thea-

tre would probably be to the ocean, the United States, instead of maintaining the liberal code for which they have hitherto contended, might find themselves called upon to assert principles, as to the right of search, contraband, and blockade, against which they have so often protested. And it would almost be a miracle, if, in the practical application of some of these principles, they did not find themselves involved in serious collisions with neutral powers, whose marines would be profiting on the sacrifices of the belligerents.

The committee fervently hope, that those who are entrusted with the destiny of both nations, will constantly keep in view, and earnestly endeavor to avert, the calamitous consequences of such a war; and that, subduing every personal emotion of passion, pride, or prejudice, they will hasten to consummate what has been deliberately stipulated. Thus the well known patriotism and gallantry of two great people will be best reserved for the more serious trials to which, under the dispensations of Providence, they may be hereafter respectively exposed.

The committee ask the senate to be discharged from the further consideration of the message of the president.

C. C. CAMBRELENG AND GALES & SEATON.

A great dispute has arisen between the two parties, as to those on whom the *responsibility* of the failure of the appropriation for fortifications ought to rest. The following relates to these matters.

Washington, 7th March, 1835.

GENTLEMEN: I regret that I am again under the necessity of addressing you on the subject of the fortification bill, and the appropriation of three millions for the army and navy, including fortifications, outfit and repairs of ships, and increase of navy; provided such expenditures *should be considered necessary for the defence of the country* prior to the next meeting of congress. But I presume you anticipated an answer to these questions, viz:

"Why *did not* Mr. Cambreleng make his report, and leave it to the house to decide upon its own competency to act upon it?

"Why did he leave the conference committee, with the intention to make a report, and yet NOT make it?"

I am, gentlemen, fortunately enabled to answer your questions by extracts from the journal of your own reporter. The only error in the following paragraph is the omission of Mr. Hubbard's name, who was one of the committee:

"The motion to ask a conference was agreed to—and Messrs. *Cambreleng* and *Lewis* were appointed the committee of conference on the part of the house."

The committee immediately left the house and proceeded to one of the chambers of the senate. The first occurrence after we left the house is stated in the very next paragraph—the remark of a member of the opposition party, viz:

"Mr. *Hardin* asked if the house was not virtually dissolved, by the expiration of the term for which this congress was elected."

After this, your reporter states that "the Cumberland road bill was taken up and read a third time." As to the actual hour of the night, I was informed by Mr. Thomas, of Maryland, that that bill was acted upon a few minutes before twelve o'clock. Other members thought the hour had elapsed. Your reporter states:

"Mr. *McKay* moved that a message be sent to the other house, informing them that this house, having completed its business is ready to adjourn."

The *chair* said the question was not in order, the question being on the passage of the bill.

The clerk proceeded to take the yeas and nays on the passage of the bill to continue and repair the Cumberland road, and

"Mr. *Gilmer*, when his name was called, rose and said, he considered that he had no right to vote; the term for which he was elected having expired at 12 o'clock this night; and he, therefore, declined voting."

You will recollect that Mr. Gilmer is also a member of the opposition party. The yeas and nays were taken. The following is your reporter's account of what further took place while the committees were in conference:

[Mr. Cambreleng here quotes half a column of the report in our last, which we have not room, nor can it be necessary, here to repeat.—*Editors Nat. Int.*]

I hope you will pardon me for extracting so liberally from your reporter's journal. I do it for the purpose of satisfying you that I had, at no stage of our proceedings, neglected to discharge my duty. The committee returned while the ayes and noes were taken on the last resolution, [to indemnify, Mr. Letcher]; upon which I voted in the affirmative.

A quorum not having voted, the chair could receive no report from any committee, nor could any motion be made but to adjourn, or for a call of the house, even if the hour of twelve—nay, one o'clock, had not arrived. A motion to adjourn was immediately made, and your reporter gives the following account of what took place.

"Mr. *Jarvis* now moved an adjournment, on which question Mr. Wilde asked the yeas and nays; which were ordered.

The clerk proceeded to call the names, and Mr. Beardsley and others now answering,

Mr. *Garland* rose to a point of order. He asked whether gentlemen were not obliged to vote one way or another, being present.

Mr. *Beardsley* said, he would state, for himself, that, making all reasonable allowance for variation in time, it was now considerably after one o'clock. The constitutional term of the existence of this congress having expired, he could not vote.

Mr. ——— said, the gentlemen who thought they had no right to vote had better withdraw. They had no right to be in the hall, if they had no right to vote.

The yeas and nays having been taken, there appeared yeas 15, nays 102."

No quorum voting, the speaker proceeded to dispose of the reports upon his table. A report from the postmaster general produced a short discussion, pending which the resolution of the senate was announced: the last speaker, as your report states, proposed to give way—I did not request him to do so, because there had been no quorum voting on any question since we returned to the house, and the chair could not receive it. When the senate's resolution was announced, I stated the reasons why I had not presented the report which you published in your paper of to-day. Mr. Lewis, a member of the opposition party, offered to make a report; but after our counting the house as tellers, and he found there was no quorum in the house, whether voting or not voting, (for we counted all we could see, whether they wished to be counted or not), he saw that it could not be received, and he did not afterwards propose. The bill was not returned to me. The following is your reporter's own account of its fate.

"Mr. *Lewis* (another member of the committee of conference) took the report from Mr. Cambreleng, with the apparent intention of offering it to the house. But, he first asked the chair whether there was a quorum present on not.

The *chair*, to ascertain whether there was a quorum, asked the members to pass through tellers.

The tellers reported 113 members.

The *chair*, upon the suggestion of a member, counted the members visible in the hall, and reported that he could count no more than 114."

No quorum voted on any question subsequent to the return of the committee of conference, it was not in the power of the house to command a quorum, and there was no period, from the time of their return till the adjournment of the house, at past three in the morning, when either Mr. Lewis, Mr. Hubbard or myself could have made the report. As to the want of a quorum, it is manifest from your own journal, that it arose from questions and considerations having no reference whatever the fortification bill, and that the absentees were indiscriminately of both parties. I never left the house till it adjourned; and never, in any instance, declined voting.

I shall not, on any occasion, avoid a just responsibility; but I cannot silently suffer an attempt to be made to shift the responsibility for the loss of these great and important measures from the senate to the house. Had the senate condescended to amend the proposed appropriation in any manner whatever, these measures would not have been lost, for the house would not have tenaciously adhered either to the form or to the amount of the appropriation. But the senate was not only determined to reject the appropriation, but, in a manner, to say the least, unparliamentary, to drive the house to obey its mandate. Instead of proposing a conference in time to save the bill, they indignantly *adhered*, and by that adherence the country is left defenceless. Very respectfully, your obedient servant,

C. C. CAMBRELENG.

Messrs. *Gales & Seaton.*

From the National Intelligencer of March 9.

We have been favored, as the reader will find, by turning to the preceding columns, with another letter from Mr. *Cambreleng*.

Mr. *Cambreleng* now puts his omission to report the result of the conference between the two houses of congress upon the issue of there not being a quorum of members present. Why was there not? Was it because there was not a quorum in attendance? Not at all. When the bill to continue the Cumberland road was passed (*after twelve o'clock*, and so proclaimed at the time) *one hundred and seventy-seven members* voted. And an hour afterwards, when Mr. *Wilde* moved the previous question (precluding the addition of Mr. *Moore's* name to the resolution proposing to allow Mr. *Letcher* his *per diem*), the vote was 69 to 65—being, including the speaker, and excluding all the members who had scruples as to the hour, *nineteen members more than a quorum*. It is true, indeed, that when the main question was taken, immediately afterwards, the votes numbered only 113 to 3. But whence this rapid diminution of numbers? Because eighteen of those who were not influenced by any scruples of conscience, but by scruples, of a different sort, did not chose to vote, but either refused to answer or withdraw from the hall. There *was* a quorum within call, all the time. Mr. *Cambreleng* could have had a quorum to vote in an instant, if he had desired it. The chairman of the committee of foreign relations could have commanded a quorum at any moment, as easily as he commanded a majority to *insist* on the three millions, knowing, as he must have done, instinctively if not otherwise, that the senate could not agree to it, and that the loss of the bill must be the consequence of this pertinacity.

How could Mr. Cambreleng expect the senate to vote away three millions of money in the loose, profuse, and irresponsible manner proposed? Does he not know, that, at eight o'clock, on the last night of the session, the senate were literally *surprised* by this attempt to force upon them, by way of amendment, a specific appropriation of more money than there is (we believe) at this moment in the treasury? Surprised, we say:

for, what had occurred? Something like a month before, the honorable gentleman himself, as chairman of the committee on foreign relations, officially told the house that the committee having determined *to do nothing*, had thought it fit to say nothing. Within the last week, the honorable gentleman's committee had made a report, concluding with three resolutions. Of these three, the *first* having been superseded, was withdrawn: the *second* to discharge the committee from further consideration of the French question, was unanimously agreed to. Well, what was the *third* resolution which was reported, and what became of that? The third was in the following words:

"*Resolved*, That contingent preparation ought to be made to meet any emergency growing out of our relations with France.

What became of *this* resolution, looking to further action on the part of congress? Why, on motion of the gentleman himself (if we mistake not) this resolution was ordered to *lie on the table!* What right had the senate, after this, to expect an item to be struck in as *an amendment to an amendment* of an *ordinary* annual appropriation bill, the object of which was, in effect *to put the war power into the hands of the president*, with three millions of dollars *to begin with*, to be expended at his sole will and pleasure? We know not what others may think of it; but, for our part, it struck us, when we first heard of it, as the most revolting proposition ever made in congress; and we have not changed our opinion of it upon more quiet and leisurely reflection. The country is not yet ready for A DICTATORSHIP.

We do not mean to charge Mr. *Cambreleng* personally, as he seems to think, with the responsibility of losing the annual fortification bill. We would do nothing unkind gratuitously to any body. But, whether the consequence of pique or policy (after failing in the three millions project) Mr. *Cambreleng* must share with his friends, politically, whatever of praise or censure the defeat of the fortification bill, in the present situation of the country, may be considered to deserve. Mr. *Cambreleng* says, however, that the *senate*, and not the *house of representatives*, is chargeable with the loss of the bill. Now, one plain question: Did not the bill die in the hands of the house? Was not its grave there? The senate had agreed to every thing, in a manner satisfactory to the conference committee of the house. But the house, having the bill in its possession, would not act on the report of its own committee, and would not, and did not, send the bill to the committee. This is the long and short of the whole matter.

We have hitherto spoken of the public history of this transaction. It has, however, a *secret* history. With this we can pretend to no familiarity. We shall state, however, what is reported of it; and we should not state it, of course, if we disbelieved it, or if we did not consider it to afford the true key to the fate of the fortification bill.

About the time of holding the conference between the two houses, the senate postponed indefinitely the nomination of Mr. Taney to be a judge of the supreme court. This being equivalent to a rejection, in the regular course, another nomination should then have been made. The PRESIDENT (who was then in his chamber at the capitol) did not wish to nominate another person to be judge. Other occurrences (besides) of the evening had not pleased him, the rejection of the three millions being one of them. On the ground that it was past 12 o'clock *he left the capitol*. It became evident, then, to those who were behind the curtain, that, if the report of the committee of conference should be agreed to by the house, as the senate would certainly concur in it, the responsibility for the loss of the bill would be thrown upon the PRESIDENT. Hence, it is said, the attempt to saddle the senate with the blame of having defeated the fortification bill, because, forsooth, they would not put into it a proposition vesting the president with undefined and unrestricted power, to do almost any thing he pleased with a sum of money sufficient to pay a year's interest upon almost a hundred millions of dollars.

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From the National Intelligencer.

The fortification bill destroyed by Mr. Cambreleng and his frends.

THE DILEMMA. Mr. *Cambreleng* in his first letter attempted to justify the conduct of the administration party in the house, in destroying the fortification bill, on the ground that it was past twelve o'clock before the committee of conference were able to report, and that consequently the house had ceased to exist.*

Since writing that letter, Mr. *Cambreleng* has recollected not only that the Cumberland road bill passed the house *after twelve o'clock*, (as is notorious, and appears, among other facts, from Mr. *Glmer*'s protest, to which Mr. *Cambreleng* himself alludes), but was of course *signed by the president after twelve o'clock*. That pretence, therefore, is forever blown to the winds. Nay, more, in this morning's letter, Mr. *Cambreleng*, wholly forgetting the drift and purport of his yesterday's letter, says "*I never left the house till it adjourned*, and never, *in any instance, declined voting!*"

So then the excuse, attempted to be built on the ground that no business could be transacted after twelve o'clock, is wholly exploded.

The other ground is, that there was no quorum. Ay, truly, and why no quorum? Because the moment an attempt was made to take up *this subject*, the friends of the administration ran either behind the bar, and when that was observed and exposed, ran out of the hall, ready to flock back, *and defeat any attempt to get a quorum*. Mr. *Cambreleng* says he never left the hall. Be it so; but what did he do, when an attempt was made to get a quorum by a call of the house?

Let the journal say—

"Mr. *Lewis* moved *a call* of the house.

"Mr. *Cambreleng*. I protest against the right to call the house. What member will answer to his name?" &c.

So that Mr. *Cambreleng*, though he now abandons the ground that congress had expired—though he makes a merit of having staid *and voted* till the house adjourned—yet clamorously resisted the only measure by which a quorum could be had, viz: a call of the house!

If Mr. *Cambreleng*, in his next letter, will state the purport of the communication that passed between himself and the vice president or the secretary of state, who were both seen in conference with him, he will throw more light on the subject than by multiplying these lame and contradictory attempts to pass from one horn of the dilemma to the other. It will then appear, that it was this *executive committee of conference* which prevented the report of the legislative committee of conference from being presented and acted on.

To bring the thing to a point, we ask Mr. *Cambreleng* these questions:

1st. If congress was extinct, why did you stay and vote?

2d. If your difficulty was want of a quorum (though you well know there was a quorum in and about the hall), why did you protest against a call of the house, the only way of obtaining a quorum?

A WITNESS.

Washington, March 9, 1835.

*See page 27. ED. REG.

LOUISVILLE AND PORTLAND CANAL.

In the course of the remarks made in the house of representatives by col. *R. M. Johnson*, in favor of the bill for the purchase of the stock of the Louisville and Portland canal by the U. S. that gentleman said—

The country to be benefitted by this freedom to our commerce from a heavy corporation tax, was fully equal to the one-half of the United States, and at least ten states of the twenty-four directly interested, and every state in the union indirectly interested. Enterprise of the most meritorious and extraordinary character, was opening several direct and rapid communications between the western waters and the Atlantic ocean; the route from this city by the Chesapeake and Ohio canal, the route from Philadelphia to Pittsburgh, by the canals and rail roads of Pennsylvania, and by the lakes on the north, which unite the canals of New York and the state of Ohio; and by a rational, economical and constitutional expenditure of our common funds upon common objects, in uniting the states and facilitating commerce between them, we should, in a few years, enjoy a degree of prosperity, strength and happiness, and love of our whole country, at which now the imagination would be startled. We lived together, suffered, sacrificed, and fought with each other long enough to learn wisdom, and to do that which will cement our union, and secure and perpetuate our freedom—to look at each other as brethren of the same great family, embarked in the same ship, and one common object in view—the happiness of all.

The commerce of the west has been greatly underrated—our progress has been so rapid that the imagination was startled at the reality. In perusing the western journals, it is stated that at this time the total length of the rivers of the west navigated by steamboats, exceeded 9,000 miles, the number of steamboats employed, upwards of 800, a tonnage nearly equal to that employed in our foreign commerce. When we examine into the points where two or three hundred millions of public money had been expended for the last forty years, the west presents, comparatively, a barren waste: not one cent in Kentucky, except in the item of pension, which was paying for the blood which its citizens had shed for our common country. He hoped that this blank in Kentucky would in part be filled by the appropriation of a sum sufficient to purchase the canal and make it free.

IN THE SENATE—FEBRUARY 28.

Mr. *Ewing* said, that shortly after the report of the committee on the post office and post roads was presented to the senate, an address of Obadiah B. Brown appeared in the Globe, and has since been copied into most of the other papers in the city, containing some charges of grave import against the committee—as to his statements which do not touch the general course pursued by the committee, I shall not notice them. His testimony and that of the witnesses who speak of his conduct as a public officer, are published with the report, and all who desire it, can satisfy themselves on those subjects. There are, however, two of his statements as to the course adopted by the committee in the examination, which I think it proper here to notice.

He says, that he was "denied by the committee the privilege of being heard in his own defence, or even of being informed of an accusation against him before he learned it in the report."

Now, sir, on this subject, I can only say, that it was the opinion of the committee, that all persons implicated by the evidences which they took, should have information of all that was alleged against them, and that they should be *heard* and allowed to produce evidence in their own justification. The mode of communicating this information was a subject of frequent discussion between some of the members of the committee, and

It was at last settled that the chairman should exercise his own sound judgment and discretion in giving this information. This was not by any formal order, but precisely in the way in which the chairman thought he ought to be authorised to communicate to any and each of the officers, and each individual implicated, all the information that might be necessary to give them a full opportunity for explanation. I never inquired of him what information he saw fit to give any one under this authority, but Mr. Brown was called and permitted to testify in exculpation of his own conduct, and of the course of the department, on every subject on which the chairman thought proper to call him. The volume of his testimony which accompanies the report will show this fully, especially when it is known that he never was called except by the request of the chairman to explain some transaction, in which he, or the department, seemed to be implicated.

The second allegation which I have thought necessary to notice, is as follows: "when under oath before the committee, I was not advised of any points on which I was to be examined, nor the object of any inquiry made; and after answering all the questions which any member of the committee thought proper to propound, I was not permitted to hear the testimony read over to know whether it was taken down correctly, or to correct any erroneous impression which it might be calculated to make."

The latter clause of this statement is wholly contrary to the fact. The chairman conducted this part of the business of the committee, and I observed that he frequently, though not always, asked the witnesses to read or hear read their testimony, before it was signed. He generally did so, if the statement was long or complicated. The question was, I believe, always written down and read to the witness before he answered; and the answer was always read over to the witness after it was written, before it was passed by, and I know, there was no case in which a witness was refused permission to read or to hear read his deposition, before he signed it. I wish the chairman to say what he understands to have been the course pursued by the committee on these subjects.

Mr. *Grundy* remarked, that he would state all he recollected upon the two points referred to by the senator from Ohio, (Mr. E.) and I can make myself better understood by noticing, in the first place, the point last named.

As chairman of the committee the form of proceeding seemed to devolve on me. I, of course, when a difficulty presented *itself*, consulted the other members.

The practice in relation to the examination of a witness was this: when he pesented himself he was sworn, a question was then put to him by a member of the committee. I immediately stated to the witness that he was not then to answer, but might consider what his answer should be, until the clerk wrote down the question and read it to him. After the question was written and read by the clerk, the witness gave his answer, which was written down and read to the witness and the committee. After the testimony of a witness was gone through, I stated to the witness that if he was satisfied with his evidence as read to him, he could then sign his deposition, and if he did not feel satisfied he could have it read to him by the clerk, or read it himself. In some few instances, where I was not sure that the answers of the witness conveyed his true meaning, I named to the witness that he had better take the deposition and read it over himself before he signed it, and this was sometimes done.

The practice, as I have stated it, was generally pursued, and I have no recollection of a departure from it, in the case of Mr. Brown; of one thing I am confident, no witness was ever refused an opportunity of reading his testimony if he requested it.

2nd. As to the opportunity afforded to persons implicated or affected by testimony taken by the committee.

This was to my mind a very delicate subject. To prevent the proceedings of the committee from assuming the character of a trial, rather than an inquiry, and at the same time to procure the introduction of testimony which might place transactions upon their true ground, was a subject of frequent conversation among the members—at last it seemed to be understood that I might act upon that subject according to my own discretion, taking care, that no improper use should be made of any communication I might make for the purpose of obtaining the object in view.

Under the authority conferred on me, I did not feel willing to disclose what any particular witness had sworn, but stated, for instance, to Mr. Reeside, that the order of the postmaster general was to carry a daily mail from Bedford to Washington, in Pennsylvania; that the department had so paid for it; that the proofs taken did not show a performance on his part, and if he would name any witnesses who could establish his performance, they should be summoned, and in this way witnesses were brought forward and examined upon several cases investigated by the committee.

As to Mr. Brown's transactions with Mr. Porter, he did intimate a wish to know what had been sworn by Mr. Porter. I stated I did not feel at liberty to tell him, but I stated that I intended to call on him as witness, and he could tell all about it.

My reasons for not stating to Mr. Brown what Mr. Porter had sworn, were 1st, That it would be disclosing the testimony of a particular witness; and, 2d. Mr. Porter and Mr. Brown were the only persons, who had a knowledge of the transactions, and I thought the surest way to arrive at the truth, was to let each give his own account without knowing what the other had said.

I will further add, that I was present at the examination of every witness whose testimony was taken by the committee during the whole investigation.

Mr. *Robinson* said, as a member of the committee on the post office and post roads, indisposition had prevented him from being present during the whole of the investigation. But upon no occasion so far as came within his knowledge was any witness denied the privilege of reading over his testimony after it was taken down by the clerk before the witness signed it. And he well recollected of many witnesses so doing.

Mr. *Southard* remarked, that he had a perfect recollection, that the witness referred to (Mr. Brown), did, on more than one occasion, read over the testimony which he had given, as it was taken down by the clerk of the committee, and that he also did, on one or more occasions, decline reading it, because it had been taken down as he wished it, and had been read to him. If he did not read every part of it, it was his own fault. He was, on no occasion, in my presence, refused permission to read it.

This witness was never taken by surprise, so as to be obliged, on any point, to give an answer hastily. Whenever he had any hesitation, or desired to look at books or papers, or refer to the officers of the department he was permitted to do so—frequently had such permission and availed himself of it—sometimes delaying an answer for one or two days. And it also sometimes happened that he was directed to make an examination of papers and books when he had not expressed any desire to do so.

Mr. *Clayton* said, he had warned the members of this committee not to suffert he opportunities, which the session offered them, to pass without their unanimous contradiction, on the floor of the senate, of all such aspersions upon them, and misrepresentations of their conduct while engaged in this investigation as they had just exposed. He had heretofore had some experience of the injustice done to those who engage in such investigationr. As a member of this committee during the last session, he had concurred in the report of the majority made near the close of that session; and after the adjournment of congress he had been astonished at the number and enormity of the misrepresentations made through the party press sustaining the department arraigning the conduct of the committee. But, said he, at the last session a committee had been appointed by the other house to re-examine the matters we had inquired of, while the senate's committee was also directed to proceed with their investigation; and though grossly traduced and calumniated as the committee was, pending the last elections by the party newspaper press, for what had been done, yet, I was content to bear this abuse at the time, believing that justice would eventually be done to us by an honest public, when the result of the examinations of all parties should be fairly made and communicated to the public.

Sir, our report has been re-examined and the result has been that the different committees have now carried their condemnation of the conduct and management of this department far beyond the point at which we had arrived last year by that investigation, for which we were so grossly calumniated. What has been the consequence to those who made the *last* reports? Sir even the majority of the committee in the other house composed as it was of the political friends of the executive, had no sooner presented their report condemning the outrageous misconduct of the post office department than an attempt was made to denounce that majority; and the conclusions to which the honorable gentlemen who thus reported had arrived were also declared to be the results of party discipline and party spirit! Yes, sir, the very men who it was confidently declared last year, would expose our errors, have confirmed our judgment, and though reluctantly driven to this result, a portion of the newspaper press had already denounced them also as acting merely from party motives. What justice then have my friends on this committee, appointed by a persecuted senate to expect from such sources? Sir, I warn them again that the bloodhounds of the political kennel, which is maintained on the spoils of victory, will be let loose on their trail, the moment they shall leave this city and forego for six months longer, an opportunity of exposing every falsehood against them, which is now hatched or undergoing the process of incubation. Let them stand on the alert, and resort to their associates on the committee as well as every other source within their reach, for a justification of their course, while they have an opportunity to do so. The moment the session closes leaves them powerless and defenceless, while they present a shining mark for the envenomed shafts of the most rancorous and dangerous of all party spirit—that party spirit, sir, which contends for pay.

PUBLIC DEPOSITES—BANK U. STATES.

REMARKS OF MR. WEBSTER.

In senate, February 26, on the bill to regulate the deposites of the public money.

Amongst the amendments moved by Mr. *Webster* to the bill and adopted, was the following additional section, which was also adopted, viz:

"Sec. 9. That all the warrants or drafts of the treasurer of the United States, or such as shall be authorised by the treasury department, drawn on any deposite bank, shall be payable in gold and silver, if the holder desire to receive the same; and

no such warrant, or draft, nor any check, draft, or bill of exchange given or received in payment thereof, shall be expressed to be payable in 'current bank bills,' or in any other medium than the lawful currency of the country."

On offering this amendment,

Mr. *Webster* said, that, in discussing the provisions and merits of this bill, it was necessary so often to allude to the bank of the United States, and the withdrawal of the government deposites from that institution, that he would take occasion to say a few words, and they should be very few, upon that subject. In the first place he wished to say, that he considered the question of renewing the bank charter as entirely settled. It could not be renewed. Public opinion, he thought, very unfortunately for the country, had decided against it; and while there was a strong and prevailing sentiment in the minds of the community against a measure, it was quite useless to move such measure. For himself he should take no part in any attempt to renew the charter of the bank. The people have decided against its continuance, and it must expire.

Nor should he if he remained in public life, join in any attempt, at any time hereafter, to establish a new national bank, till experience of its want should have satisfied the country of its great utility or indispensable necessity. That the time would come when the country would feel the fullest conviction of this necessity he did not doubt; but that conviction, he thought was likely to be brought about only by experience. If, while he remained here, there should be a general call of the country for a new national institution, he should of course be ready to aid in its establishment, on principles which have been proved to be safe, and with any amendments which experience may have suggested. But, for himself, it was his stated purpose to do nothing more in relation to a national bank till a decisive lead should be given in that direction by the public opinion.

In the next place, he wished to say, that the "experiment," upon the success of which gentlemen had felicitated themselves, had not, in his opinion, undergone any trial at all. It had been put to no test.

There are two public objects, both of great importance, said Mr. W. in the accomplishment of which the bank of the United States, in my opinion, has been generally successful. I mean the transmission of public funds, and other facilities to the operations of the treasury, as one of these objects; and a safe, cheap and admirable system of internal exchanges as the other. These objects were both attained, by the skilful administration of the bank, to such a degree as left little or nothing to be wished. By internal exchanges, I intend the whole operation of internal bills of exchange, and the circulation, also, of a paper currency, always safe, founded on solid capital, and every where, in every nook and corner of the country, as well as on the exchanges of the great cities, always of the same value as gold and silver, except, indeed, where the bills of the bank have been preferred to gold and silver, as being better suited to the purposes of remittance. Now, sir, it has been predicted that the state banks, selected as deposite banks, could equally well accomplish all these objects; that they could as readily, and as completely, facilitate the operations of the treasury, and that they could, and would also, furnish a general currency, as sound and as well accredited, and that they could and would be able to conduct the internal exchanges of commerce as safely and as cheaply. Of all this I have doubted; but the day of argument is passed, and the system now awaits the unerring result of experience. But the time for that experience has not yet arrived. Up to the present moment, the country has enjoyed, and does now enjoy, the benefit of the circulation of the bills of the bank of the United States. The amount of that circulation is now eighteen or twenty millions, and it is diffused over every part of the country, and abounds, more especially, in those places where it is more particularly needed, and, indeed, is kept there because it is there most needed. Here is a medium of exchange, every where to be had, and to be had without charge. A hundred dollars in gold and silver buy a post note of the bank of the United States in New Orleans, or Mobile, or St. Louis, and it is remitted to Philadelphia or New York, without danger, and without expense. The whole mass of the circulation of the bank of the United States, therefore, is at this moment, in active operation, in expediting and facilitating exchanges, and indeed in assisting the operations of the treasury, and the deposite banks themselves, by affording a medium of universal credits. The present system, therefore, still rests, substantially, on the bank of the United States.

It is the credit and the circulation of the bills of that bank which still sustain the accustomed operations of internal commerce; and the bank still exercises all that wholesome control over the currency of the country, which it has heretofore done. But the bank is about to expire. These eighteen or twenty millions must be gradually withdrawn from circulation, though they may come in very slowly, and be drawn very reluctantly from the hands which hold them; so that the circulation of the bills may more or less continue for a considerable time after the charter shall expire. In this way, I have no doubt of its continuance to do good, for some time after its legal existence shall have ceased. There will be no rush for payment of its notes and bills, because there will be no doubt about the sufficiency of the fund. There will be no haste to get rid of them, because they will be better than any other paper, and better than gold and silver.

But the bank must wind up its affairs; its debts must be collected, and its circulation, after a while, entirely withdrawn. And when this takes place, or begins to take place, then, and not till then, the existing government "experiment" will begin to be put to the proof. At present, all is fair weather; the question is, how will it be, when it becomes necessary to fill up the void, occasioned by withdrawing the bills of the bank of the United States, by notes of the deposite banks. When these banks shall be brought to rely on their own means, their own credit and their own facilities; when the substantial succor of a universally accredited paper currency of twenty millions in amount shall be withdrawn, then the experiment will be put on trial.

It is known, sir, that I am one of those who believe in the impracticability of an exclusive, or of a general metallic currency. Such a currency is not suited to the age, nor to commercial convenience. The return of the golden age is a dream. There will continue to be banks; and the mass of circulation will be a paper circulation of some kind; and the question will be, whether state institutions, associated together as deposite banks, can furnish a sound and universally accredited circulation.

At present they are not proved capable of any such thing. If a gentleman here wishes to remit money to New England, or to the Ohio river, he certainly does not send bills of the deposite bank of this District. If a single individual has done that, by way of trying the "experiment," he probably does not repeat the trial; and, at any rate, the example is not generally followed. The deposite banks pay specie, which is, so far, very well; and a person with a check on one of those banks can obtain specie, and with that specie he can obtain bills of the bank of the United States, and this is the process he will have to go through, if he wishes to remit money in the shape of bank notes, to places at any considerable distance. In fact, that is well known to be the only practice. How this is to be effected, when there shall be no longer notes of the bank of the United States to be had, remains to be seen.

I have said, sir, the day of trial has not come, and that all as yet seems clear weather. But I have recently learned some symptoms of approaching squalls. Some little specks of clouds at least, make their appearance above the horizon. I learn, from authority not to be questioned, that, within the last week or ten days, a treasury warrant was drawn on a deposite bank in one of the cities, payable in another city. The bank on which the warrant was drawn offered to pay in a check, on a bank in the city where the warrant was payable; and when the check was presented, it was found to be made payable in *current bank notes*. Here, I think, sir, there is, as I have said, a small cloud darkening the early dawn of the new golden day of our currency. Even so soon as the present hour, treasury drafts are thus offered to be paid in *current bank notes*. I have very good reason to believe, sir, that other deposite banks draw their checks, in like manner, *payable in current bank notes*. And I have called the attention of the senate to these occurrences, not merely to expose the practice, but to correct it also. I wish to stop it at the threshold, by declaring it illegal, and I have prepared a section, which I trust the senate will see the importance of inserting in this bill.

—

The New York American says—

The Globe, in its usual tone of vulgarity, affects to deny the statement of Mr. Webster in the senate, that one of the *pet* banks, in one of the great cities, had paid a treasury order, in a check payable "in current money," a form of expression, which means precisely *un*-current money.

The National Gazette, of Philadelphia, says it is authorised to state, that no occurrence of the nature referred to by Mr. Webster, had taken place in that city.

We have seen no such denial in behalf of this city. Perhaps, on investigating the matter, the Globe may find some such case as this.

A treasury draft on a pet bank (let us suppose the Manhattan) for $30,000, payable at a future day in Charleston, S. C. being presented for acceptance, was—not accepted—but provided for, by a check of the Manhattan company on a Charleston bank, payable at the time named, "*in current bills*," as contradistinguished from gold or silver.

Would or would not, such a case bear out Mr. Webster's statement in the senate.

LAST NIGHT OF THE SESSION.

In the house of representatives—March 3.

EXTRACTS FROM THE PROCEEDINGS.

The house then took up the fortification bill, and the question being on concurring with an amendment made in committee, proposing the appropriation of *three millions of dollars* to be expended in whole or in part under the direction of the president of the United States, in increasing the military and naval service, including ordnance, fortifications and increase of the navy, if, in his opinion, the state of the country shall require it.

Mr. *Hiester* demanded the yeas and nays: which were ordered, and being taken, resulted as follows—yeas 107, nays 75.

Mr. *Whittlesey* moved a resolution approving the conduct of the *chair*, which was unanimously adopted.

A message was received from the senate informing the house that they had disagreed to the amendment of the house to the fortification bill, appropriating three millions of dollars to be expended during the recess of congress to fortifications and the navy.

Mr. *Gholson* rose to express the anxious, earnest hope, that the house would recede from its amendment, from an amendment so unnecessary, novel and extraordinary. Unnecessary, because he was persuaded that there was not a man, woman, or child in the country who believed that France would, during the recess of congress, declare or wage war against us. Novel, because, in the whole range of our history, this is the very first instance in which a proposition has been made to confer on the executive, either in time of peace or war, the broad, indefinite, and undefined power of increasing our army and navy, and strengthening our fortifications, when and in what manner *he* may think proper. Extraordinary, because, to say the least of it, it invaded the spirit of our institutions if not the very provisions of our constitution. Congress, and congress alone, have the power to declare war, raise armies and equip fleets; and we might with the same propriety confide the whole revenues of the government to the executive, to be distributed among the various departments of the government, and applied in such manner and at such times as to him may seem fit, as to confer on him the powers embraced in the amendment now under consideration. He moved that the house recede from its amendment.

Mr. *Cambreleng* said he hoped the house would not recede. If the senate had chosen to take the responsibility of defeating the appropriation, it might remain with them. He would take no part of it.

Mr. *Gordon* hoped, he said, that the house would recede. The president had not recommended the measure. It was an unprecedented proposition to put three millions into the hands of the executive without any specification of object, and without any application from the executive to congress. It was a proposition to give up the legislative power of the house to executive discretion; to put the purse and sword in the same hands. Yesterday the house had voted unanimously that there was no occasion to make war, and now, just before the moment of the adjournment, the extraordinary proposition is made to remove all the guards from the treasury, and to give up that, and all legislative power to the president, in order to carry on a war.

After some strong remarks from Mr. *Bynum*, the previous question was demanded and carried, and the question taken on Mr. *Gholson's* motion to recede from the appropriation of three millions; yeas 89, nays 110. So the house refused to recede.

Some time afterwards—

The bill from the senate to establish branches of the mint of the United States, was read a third time and passed, by yeas and nays as follows:—yeas 115, nays 61.

A message to the following effect was received from the senate:

The senate *adhere* to their disagreement to the amendment of the house to the bill making appropriations for certain fortifications, appropriating three millions of dollars, &c.

Mr. *Cambreleng* moved that the house *adhere* to the amendment.

Mr. *Mercer* moved that the house *recede* from the amendment, which motion, he said, was first in order.

Mr. *Polk* said the motion to *adhere* had priority to the other.

The *chair* decided that the question must be first taken on the motion to recede.

Mr. *A. H. Shepperd* said, if the house adhered, there could be no further intercourse with the senate on the subject. If it was in order, he would move that the house *insist*, and ask a conference with the senate.

Mr. *Lytle* objected entirely, he said, to any conciliatory proposition. The house had gone as far as prudence and patriotism would justify them in going to conciliate the senate. The only question was, where the responsibility of the loss of the bill should lodge. Let it be with that body which is determined to act not only against the spirit of the executive recommendation, but against this house as the representatives of the people. This body which was intimately connected with the people, and might be supposed to represent their sentiments, had unanimously agreed to a declaration which would honor and distinguish this house in all time. We have, said Mr. L. gone farther, and put the seal on our professions by making an appropriation of three millions. Let the other body now take the responsibility of defeating it; that body which was already groaning under the weight of a responsibility which it cannot much longer sustain.

[Order! order! was vociferated from every part of the house.]

Mr. *Lytle*. What are the exceptionable words?

Mr. *Mercer*. I will repeat them. The gentleman says, the senate of the United States is groaning under the weight, &c.

Mr. *Lytle*. I said no such thing. I said the *other body*.

Mr. *Mercer* appealed to the *chair* to decide whether the words were in order.

The *chair* decided that the gentleman was not in order in alluding to the proceedings of the "other body."

Mr. *Lytle*. I have heard the allusion made here a thousand times, without interruption from the chair or the house.

The *chair*. The gentleman can make use of no language which is likely to lead to an interruption of harmony between the two houses.

Mr. *Lytle* proceeded. He had not, he said, departed from the courtesy due to the other body. All he had to say was, that he wished the responsibility to abide in the proper place. The house had sustained the sense and spirit of the message of the president, the wisdom and policy of which had been verified by events. But, sir, another body has placed itself in opposition to the views of the executive, and is now heaping upon itself a responsibility which I unequivocally declare it cannot sustain.

[Cries of order! order!]

This house will have its full share of the glory attending the successful termination of the controversy with France, and the gentleman from Massachusetts will have a full share in it. The people of the country will sanction the action of this house, and award to it the glory of the action. I say, then, said Mr. *Lytle*, I will not depart, as a member of this body, from the elevated stand we have taken. I hold the appropriation to be the consummation of the proceedings of the last three days. It will send out to the world an irresistible evidence of a national feeling on the subject, on the part of this house. It will leave no room for cavil or doubt; and, sir, the country will sustain us, while it puts the seal of its condemnation on those who resist us. If, then, the house retreats now, it will deserve to be considered as the most pusillanimous body in the world.

Mr. *Hubbard* said, if the house *adhered*, the bill would be lost. He moved that the house appoint a committee of conference.

Mr. *Lewis* said it was not the amount of the appropriation, but the principle, which was objected to by the senate. A committee of conference might, therefore, adjust the disagreement. The manner of the appropriation was too loose. It was not specific. It put every thing into the hands of the executive. He asked, what would be the effect of the previous question?

The *chair* replied, only to preclude debate?

The motion to ask a conference was agreed to; and Messrs. *Cambreleng* and *Lewis* were appointed the committee of conference, on the part of the house.

Mr. *Hardin* asked if the house was not virtually dissolved, by the expiration of the term for which this congress was elected.

The *chair* said it was not a question of order, and the chair could not decide it.

The Cumberland road bill was taken up and read a third time.

Mr. *McKay* moved that a message be sent to the other house, informing them that this house, having completed its business, is ready to adjourn.

The *chair* said the motion was not in order, the question being on the passage of the bill.

The clerk proceeded to take the yeas and nays on the passage of the bill to continue and repair the Cumberland road, and

Mr. *Gilmer*, when his name was called, rose and said, he considered that he had no right to vote; the term for which he was elected having expired at 12 o'clock this night, and he, therefore, declined voting.

The question was decided in the affirmative, as follows:

YEAS—Messrs. John Q. Adams, Chilton Allan, Wm. Allen, Anthony, Ashley, Barber, Barnitz, Beardsley, Beaty, Boon, Briggs, Bull, Carmichael, Carr, Casey, Chaney, S. Clark, Wm. Clark, Corwin, Coulter, Cramer, Crane, Darlington, Day, Evans, E. Everett, H. Everett, Ewing, Wm. K. Fuller, Galbraith, Garland, Grennell, Hiland Hall, Hannegan, Hard, James Harper, Harrison, Henderson, Heister, Howell, Huntington, W. Jackson, William C. Johnson, R. M. Johnson, Henry Johnson, Benj. Jones, Kilgore, King, Kinnard, Lane, Letcher, Lincoln, Love, Lucas, Lyon, Lytle, Marshall, May, McCarty, McKennan, McKim, McLene, Mercer, Miller, Milligan, R. Mitchell, Muhlenberg, Parker, Patterson, D. J. Pearce, Phillips, Potts, Reed, Reynolds, Slade, Spangler, Stewart, Sutherland, Francis Thomas, Philemon Thomas, Thomson, Turrill, Tweedy, Vance, Vanderpoel, Van Houten, Vinton, Ward, Watmough, Webster, Frederick Whittlesey, Elisha Whittlesey, Wilson, Young—96.

NAYS—Messrs. John Adams, Heman Allen, Archer, Barringer, Beale, Bean, Beaumont, Blair, Cambreleng, Chambers, Chinn, Clay, Davenport, Deberry, Dickson, Dickerson, Dunlap, Felder, Fillmore, Forrester, Philo C. Fuller, Fulton, Gamble, Gholson, Gillet, Gordon, Graham, Griffin, Halsey, Hardin, Jos. M. Harper, Hawkins, Hawes, Hazeltine, Hubbard, Inge, Jarvis, N. Johnson, S. Jones, Kavanagh, Luke Lea, Thomas Lee, Manning, Mardis, John Y. Mason, Moses Mason, McIntire, McKay, McKinley, McVean, Moore, Murphy, Osgood, Parks, Payton, Pickens, F. Pierce, Pierson, Plummer, Polk, Ramsay, Rencher, Robertson, Schley, Aug. H. Shepperd, Shinn, Smith, Speight, Standifer, William Taylor, W. P. Taylor, White, Wilde, Williams, Wise—81.

[So the Cumberland road bill was passed.]

Mr. *Mann* rose and said, it was past 12 o'clock, and the functions of this house had ceased.

Several members addressed the chair.

Mr. *Jarvis* made a point of order. He asked whether the functions of the house had not ceased, according to the constitution and usage.

The *chair* said, the question could only be decided by moving an adjournment. The house must decide the question for itself.

Mr. *Jarvis*. Is it not a question of order whether the house is in existence or not?

The *chair* said, the gentleman was not in order.

Mr. *Jarvis* offered a resolution declaring that the functions of the house had ceased.

Mr. *Clay* said, the bill to extend the judiciary system was the business next in order.

Mr. *Polk*. I submit whether this house can transact business after 12 o'clock. The gentleman from Maine has sent to the

chair a resolution declaring that the functions of the house have ceased, and I ask for its consideration.

The *chair*. If the house is in existence it must proceed by parliamentary rules, and the gentleman knows the rules of the house must be suspended in order to offer the resolution.

Mr. *Jones*, of Georgia, moved an adjournment.

Twenty members addressed the chair at the same time; the chair in vain attempting to preserve order.

Mr. *Wardwell* said, the house could not adjourn until they advised the senate and the president that it was ready to adjourn.

Mr. J. Q. *Adams* said, it was not the fact that the functions of this house ceased at 12 o'clock, according to the constitution. The constitution said not a word on the subject.

The confusion in the house increasing,

The *chair* called upon members to assist him in preserving order and decorum.

Mr. *Evans* concurred with the opinion of the gentleman from Massachusetts, and added, that it would be disrespectful to the senate and the president to adjourn, without the usual notice to them.

Mr. *Jones*, of Georgia, withdrew the motion to adjourn. Several motions for sending the usual notice to the senate were made and withdrawn.

Mr. J. Q. *Adams* said, if the assertion that the house was not in existence was true, a motion could not be made.

Mr. J. Y. *Mason* said, as the house was about to seperate, he hoped they would render an act of simple justice to one of its members by passing the resolution to pay the hon. *Robert P. Letcher* his compensation for the last session. He moved a suspension of the rule in order to take up the resolution. The motion was agreed to, and the resolution proposing to direct payment to Mr. *Letcher* for attendance at the last session, was read.

Mr. *Vanderpoel* moved to strike out the preamble; which was agreed to.

The question being on the motion of Mr. *R. M. Johnson*, to amend the resolution by embracing the name of *Thomas P. Moore*.

Mr. *Wilde* moved the previous question; which was seconded—69 to 65.

The main question was ordered, (on agreeing to pay Mr. *Letcher*), and was taken by yeas and nays, when there appeared yeas 113, nays 3, (several members refusing to vote, though present, on the ground that it was past 12 o'clock). No quorum voting the resolution was lost.

Mr. *Jarvis* now moved an adjournment, on which question Mr. *Wilde* asked the yeas and nays; which were ordered.

The clerk proceeded to call the names, and Mr. *Beardsley* and others not answering,

Mr. *Garland* rose to a point of order. He asked whether gentlemen were not obliged to vote one way or another, being present.

Mr. *Beardsley* said, he would state, for himself, that, making all reasonable allowance for variation in time, it was now considerably after one o'clock. The constitutional term of the existence of this congress having expired, he could not vote.

Mr. *Pierce* said, the gentlemen who thought they had no right to vote had better withdraw. They had no right to be in the hall, if they had no right to vote.

The yeas and nays having been taken, there appeared yeas 15, nays 102.

So, the house refused to adjourn.

The *chair* presented the following communications:

A report from the director of the mint.

A report from the secretary of the treasury, transmitting the annual statement of the commerce and navigation of the United States.

A report from the secretary of war, transmitting a statement of the sums expended during the last year, in the manufacture of arms; and

A report from the secretary of war, relative to transfer and disbursement of Indian annuities.

The *chair*, presented a communication from *the postmaster general* [Mr. *Barry*] which, he said, he had not had time to read, and the contents of which he was therefore not able to state to the house.

Mr. *Connor* moved that it be laid on the table and printed.

Mr. *Evans* said, he had run his eye over the paper, and discovered that it was in the nature of an appeal to the public against the report of a committee of this house. The first sentence of the paper styled the report of that committee "*an aspersion*." The paper asked nothing of this house, and, on its face, professed to be an appeal to the public; and he [Mr. *Evans*] thought this house was not the proper channel of communication between the postmaster general and the public.

Mr. *Connor* said he had not read the document, but he had understood from one of his colleagues on the committee, [the gentleman from New York] that it was respectful in its tone and tenor. As it regarded himself, as a member of the committee, animadverted upon by the postmaster general, he would say, that he was perfectly willing to afford him an opportunity to correct any error into which the committee in their report might have fallen.

Here a message was received from the senate, communicating a resolution of that body, respectfully reminding the house that the report of the committee of conference on the fortification bill yet awaited their action.

Mr. *Cambreleng* said, that the committee of conference of the two houses had met, and had concurred in an amendment which was very unsatisfactory to him. It proposed an unconditional appropriation of 300,000 dollars for arming the fortifications, and 500,000 dollars for repairs of and equipping our vessels of war—an amount totally inadequate, if it should be required, and more than was necessary if it should not be. When he came into the house from the conference, they were calling the ayes and noes on the resolution to pay the compensation due the gentleman from Kentucky, (Mr. *Letcher*); he voted on that resolution, but there was no quorum voting. On a subsequent proposition to adjourn, the ayes and noes were called, and again there was no quorum voting. Under such circumstances, and at two o'clock in the morning, he did not feel authorised to present to the house an appropriation of eight hundred thousand dollars.

Mr. *Lewis*, (then, another member of the committee) proposed to offer the report—but an objection was made that a quorum was not present.

Mr. *Smith* moved that a message be sent to the senate, informing that body that the house, having completed its business, was ready to adjourn.

Mr. *Wilde* asked the gentleman from Maine to withdraw the motion. He was certain, he said, that there was a quorum present, and he wished once more to give the house an opportunity to pass the resolution for paying Mr. *Letcher*. To refuse or neglect this would be the most flagrant injustice to that individual.

[Great impatience was here manifested by the house.]

Mr. *Mercer* remarked that he had been here as a member eighteen years, and he was ready to assure the house that the doctrine reported to-night, that the functions of the house ceased at 12 o'clock, had no foundation in usage any more than in the constitution. It was usual for the house to act one, two, and even four hours after twelve o'clock. He adjured the house to preserve the usual forms, from motives of respect to the other branch of the legislature, to the executive, and to the speaker, whose ability and impartiality had this day received the unanimous and well-merited approbation of the house.

Mr. *Hardin* took an opposite view of the case.

Mr. *Parker* asked—did the gentlemen who formed the committee on conference, on the part of the house, mean to report or not.

The resolution to pay Mr. *Letcher* was here taken up.

Mr. *Mann* called for the yeas and nays on it.

Mr. *Barringer* said, as the gentleman had refused to vote, he had no right to make a motion.

Mr. *Mann* said, he had as much right to make a motion as any gentleman on the floor. The yeas and nays were ordered, and the question being taken, there appeared yeas 72, nays 3. No quorum.

Mr. *Briggs* moved that the house do now adjourn; but gave way to

Mr. *Smith*, who renewed his motion to send to the senate a message, informing that body that the house having completed its business, was ready to adjourn.

Mr. *Parker*. How can we pretend to say that we have completed the business before us? and how can we adjourn without passing the fortification bill? This house had passed the bill. The senate made a large addition to it. The house had added another appropriation. The senate disagreed to it: a committee of conference was appointed, and that committee had refused to report to this house. Shall we go away, said he, and leave this bill, at a time when there is an apprehension of war?

Mr. *Phillips*. What is the situation of the business of the committee of conference?

The *chair* stated, in reply, that, as he understood, the report had been made.

Mr. *Cambreleng*. There has not been a quorum for an hour or two.

Mr. *Reed* said the committee of conference had agreed to a report, and, as a quorum was undoubtedly present, it ought to be acted upon. He was opposed to the adjournment, because the house had not yet done its duty. [Order, order]. Mr. *Reed* said: the proposed amendment declared what is not the fact. There is a quorum present.

Mr. *Lewis* moved a call of the house.

Mr. *Cambreleng*. I protest against the right to call the house. What member will answer to his name? ["I will," "I will," exclaimed many members]. I am as much in favor (said Mr. C.) of the fortification bill as is the gentleman from New Jersey; but I say that the responsibility of its failure rests upon the senate, and not upon us. The bill was defeated by the senate. ["No," "no"—"not so," was exclaimed by many voices.]

Mr. *Barringer*. The bill was defeated by an intrigue here (in this house). If gentlemen desired *names*, Mr. B. said he would give them. But, if this was declined, he would say, that there were members, who now sat in their seats, and would not answer to their names, who did so in consummation of the intrigue. Mr. B. called for tellers on the motion.

The members were requested to pass through tellers, and there appeared yeas 56, nays 26—no quorum.

Mr. J. Y. *Mason* informed the house that the senate had adjourned.

The fact announced was questioned, but it being confirmed, the house agreed, on motion of Mr. *Barringer*, to adjourn.

The *speaker* then rose and addressed the house.

The house then adjourned at half past 3 o'clock.

POINDEXTER.

From the Globe of February 23d.

In our congressional proceedings will be found an account of a most singular movement made by Poindexter. We give below the letters between himself and the hon. Dutee J. Pearce, together with the affidavits referred to in the correspondence; and that the subject may be precisely understood by the public, we add a narrative of some circumstances connected with it.

A day or two after the attempted assassination of the president, the honorable Joel K. Mann mentioned to some members of congress, that a gentleman who boarded in the same house, informed him, that Mr. Poindexter had interviews from Lawrence, but a few days before the attempt on the president's life. This information produced considerable sensation. A captain of high standing in the navy had previously stated in this city that Poindexter, on his voyage from New Orleans, had threatened to demand satisfaction for the remark made about him by the president, as reported in an anonymous letter to the Baltimore Patriot, saying if the president refused, that he would shoot him wherever he saw him.

This threat of Poindexter, was vouched upon such authority as to give considerable uneasiness to several of the president's friends, and among others to the rev. Mr. Hatch, chaplain to the senate, who called upon the president to put him on his guard against Poindexter. Mr. Ward, another gentleman of the navy, who had probably heard of these threats, was at Mr. Stewart's, (a respectable mechanic of this city, whose business brought him into an acquaintance with Lawrence), and Mr. Stewwart mentioned to him the circumstance of seeing Lawrence in conversation with Poindexter, on the Tuesday preceding the event which happened on Friday. Mr. Ward mentioned it to the hon. Joel K. Mann, and from the interest taken in it by several to whom he mentioned it, Mr. Ward was induced to call on Mr. Stewart to be sure that he had not misunderstood him. Mr. Stewart assured him that what he had told him was true, and although he expressed some apprehension that the publicity of his having made the statement might effect his business injuriously, yet declared his willingness to make oath to it. He was advised to do so by several of his friends. We have been informed that Duff Green and senator Ewing, both called upon him, and endeavored to induce him not to promulgate the fact. He, however, felt it due to those who had repeated the circumstances, on his authority, to give the statement a definite and authentic shape, and he voluntarily made and sent the affidavit given below to the president.

Mr. Foy had, also, immediately after the event at the capitol, mentioned to some of his acquaintances, that he had seen Lawrence go repeatedly to Poindexter's residence; and, we understand, under the advice of Mr. Coltman, (a member of the city council), gave the fact the form of an affidavit, and had it delivered to the president as the person most interested in the evidence.

These circumstances, which were known to many persons in this city, (for many called on the president to see the depositions, and they were shown to all who desired to see them), found their way into the news given by the letter-writers in this city to the journals in the neighboring cities. Mr. Southworth, a correspondent for a New York print, had heard the rumors repeated by Mr. Pearce, of Rhode Island, and he communicated them in a letter. This led to the correspondence which is given below, and explains itself—and upon which Mr. Poindexter has founded his application for a committee to make a report upon the subject.

With regard to this procedure, we have only to say that it is certainly unusual, if not absolutely without precedent. The implication, which it seems Mr. Poindexter fears may affect him personally, has not the slightest reference to him officially. If the facts given, tend in the slightest degree to bring suspicion upon him, as having stimulated the assault on the president, as Mr. Clay supposes, it is a matter touching Mr. Poindexter's individual conduct, for which he is answerable before the judicial tribunals, and not his official conduct, for which he is responsible to the senate. Mr. Poindexter must have known that it would necessarily be fully investigated before the court which sits in this city next month, when every fact that can shed light upon the act of Lawrence will, of course, be adduced. It is evident, then, that Mr. Poindexter was resolved to bring the *esprit de corps* of the majority, with which he has co-operated in the senate, to bear upon his case, and by getting, if possible, a favorable report from that high court, to forestall and frown down the action of another and a less imposing tribunal.

What lends countenance to this supposition is, that some hours before the motion for a committee was made, ballots for the members to compose it, were distributed among that portion of the senate with whom Mr. Poindexter has been politically associated; that he himself went from seat to seat, and held conversations, *tete a tete*, with them; and that the first ballot resulted in a committee, a majority of which are the personal and political friends of Mr. Poindexter. This result, which at first blush, looks so decidedly favorable to the production of a report conforming to Mr. Poindexter's wishes certainly does not harmonise well with that rule of parliamentary proceeding which requires a majority of a committee of investigation, to be composed of persons predisposed to press the inquiry with the utmost scrutiny. We are bound to believe, however, that the committee raised on this anomalous affair, will probe the subject to the bottom, if they shall feel it their duty to enter on the inquiry; and that, although selected against rule, they will show themselves superior to the influence which, it was supposed, would govern their conduct.

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[Copy.]

Senate chamber, Feb. 20th, 1835.

SIR: The writer* of the letter published in the New York papers, implicating me in the attempt of Lawrence to assassinate the president, has given me your name as his authority for the statement contained in the letter referred to. I am, therefore, to inquire of you by what authority you authorised that statement?

Your immediate reply is expected, which will be conveyed to me by my friend judge Black. I am sir, your obedient servant, GEO. POINDEXTER.

Hon. *Dutee J. Pearce.*

—

Washington, Feb. 20th, 1835.

Honorable George Poindexter:

SIR: Your note of to-day has been put into my hand by judge Black, who has given me the name of the gentleman who wrote the letter published in one of the New York newspapers, to which you have called my attention. The writer of that letter has taken the usual humor of the Washington letter writers, and has published more than he was authorised to publish by me. Some few days ago, he was in my room, and I stated to him what was, as I then thought, very generally known, that affidavits had been taken, which, in the opinion of many, would implicate you in the late assault of Lawrence upon the president of the United States, to wit: That but a few days preceding that assault, it would be shown by the testimony of respectable witnesses, that Lawrence was seen going into and coming out of your house several times; that you were also seen walking with him in the street.

I was authorised to make this statement by two gentlemen who were fellow boarders; the hon. Joel K Mann, and passed midshipman Ward, the first named gentleman had seen the affidavits of the two witnesses, proving in substance what I have stated. I had not then seen the affidavits, but have since read them, and found that what I have noted, as nearly as I can now recollect their contents, were proved by them. The affiants are said to be highly respectable men—I am not acquainted with them—the affidavits were taken before one Coltman, a member of the city council. The name of one of the gentlemen is Stewart, and the other Foy. I am your very obt. servt. DUTEE J. PEARCE.

—

* The above is the original draft of the letter sent to governor Poindexter. The letter sent may vary in two or three words, but not so as to change the sense in any way. Judge Black has promised me an exact copy of my letter to-morrow, also of my note to him of the 21st, in which I corrected two words in my letter to governor Poindex-

*S. S. Southworth.

ter; one in stating that Mr. Coltman was the magistrate before whom the affidavits were taken, and the other in saying that governor Poindexter was seen in the street with Lawrence, instead, as I ought to have stated, in the entry or alley of his own house, as sworn to by one of the men whose affidavits have been taken.

DUTEE J. PEARCE.

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[Copy.]

Washington, Feb. 21st, 1835.

SIR: Your note of yesterday, in reply to mine of the same date, accounts for the manner in which the letter from Southworth to the news room originated: there remains yet one point on which your information must be perfect, and to which you have not adverted. In whose hands did you see the affidavits of which you speak?

Your reply to this question will, for the present, end our correspondence on this subject. I am, sir, your most obt. servt. GEO. POINDEXTER.

Hon. *Dutee J. Pearce.*

—

[Copy.]

Washington, February 21st, 1835.

Hon. George Poindexter:

SIR: In reply to your note which I received this morning, I am at liberty to state in answer to the interrogatory which you have propounded, "in whose hands did you see the affidavits of which you speak," that the affidavits were by me read at the house of the president of the U. States; they were handed to me in his presence by a friend of his, by me returned to the president, and were put into his hands by the affiants themselves, as I have been informed by him. And I am further authorised to say, that other testimony of the kind is expected. Your very ob't serv't, DUTEE J. PEARCE.

—

District of Columbia, Washington county, to wit:

On this 13th day of February, 1835, personally appeared David Stewart, before me the subscriber a justice of the peace, in and for the county aforesaid, and made oath on the Holy Evangely of Almighty God, deposeth and saith, that about the last of December, 1834, or the first of January last, he, this deponent, see Richard Lawrence go into senator Poindexter's dwelling house, on Four and a half street, and the Tuesday before the attempt to assassinate the president of the United States, he, this deponent, see senator Poindexter and Lawrence in senator Poindexter's passage in conversation.

DAVID STEWART.

Subscribed and sworn to before me this day and year before written. ROB'T CLARKE, *justice of the peace.*

—

District of Columbia, Washington county, to wit:

On this 14th day of February, 1835, personally appeared Mordecai Foy, before me the subscriber, a justice of the peace, in and for the county aforesaid, and makes oath on the Holy Evangely of Almighty God, deposeth and saith, that his shop is opposite to the dwelling house of senator Poindexter's on Four and a half street, and he, this deponent, hath seen Richard Lawrence go into senator Poindexter's house, and return out again at different times; and particularly on the Tuesday previously to Lawrence's attempt to assassinate the president of the U. States, he, this deponent, see the said Richard Lawrence go into senator Poindexter's house and return.

MORDECAI FOY.

Subscribed and sworn to before me the day and year before written. ROBERT CLARKE, *J. peace.*

—

Now, here we have the "honorable *Joel K. Mann*," a "*captain of high standing in the navy*," the "rev. Mr. *Hatch*, chaplain to the senate," "Mr. *Ward*, another gentleman of the navy," "Mr. *Stewart*, a respectable mechanic of this city," who was "sure that he told them what was true,"—and "*Duff Green* and *senator Ewing*, who both called upon him, (Stewart), and endeavored to induce him not to promulgate the fact," and "Mr. *Foy*, who acted under the *advice* of Mr. *Coltman*, a member of the city council"—That Mr. *Poindexter* had intrigued to make choice of a committee—that the *first* ballot resulted in a choice of a majority of his personal and political friends, &c. &c.—not one word of which appears to be true, judging by the result, *as stated by the* "GLOBE" *itself!* Stewart has been "totally discredited by a host of witnesses," and though "Mr. Foy's character as an honest man is not impeached, but circumstances induce the committee to believe that he might have made a mistake!"

The committee on this case were—Mr. *Smith*, of Connecticut, Mr. *Mangum*, of N. C. Mr. *Wright*, of N. Y. Mr. *King*, of Georgia, Mr. *Tyler*, of Virginia.

Well—the committee make their report, and the "*Globe*" of the 28th says—

"It will be seen from the report of the chairman of the committee on Mr. Poindexter's case, that no suspicion justly attaches to him from the affidavits of Stewart and Foy, in relation to Lawrence's having been seen at his house. Stewart, we understand, was totally discredited by a host of witnesses, and by his own contradictions. He brought several respectable witnesses to support his character, as a man to be believed on oath, but they seem to have known him but superficially. Foy's character as an honest man, was not impeached; but circumstances induce the committee to believe he might have made a mistake."

What has become of all the "chimeras dire" of the 23d? Are they not "laid in the Red Sea?" The report is concurred in by all—every senator voting for it! It is proven, that one of the persons who swore against Mr. P. knew not the house in which he lived! That the "honorable Joel K. Mann," and the "honorable Dutee J. Pearce," and all the other honorable persons named, knew nothing at all about the case, so seriously impeaching the conduct of a senator!

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We also give the following decree of the judge—and would ask, is he strictly correct? We do not recollect that major *Beard* was ever even brought to trial for the attempted assassination of Mr. *Arnold*—and how was he disposed of?

Washington city, February 25, 1835.

MESSRS. GALES & SEATON: As it has been stated in one of the newspapers of this place, that a writ of *habeas corpus* had been refused by judge *Cranch*, upon an application made in the case of the unfortunate Lawrence, and the manner of the statement, carrying with it an implication that the refusal arose from the fact of his insanity not being satisfactorily established, I think it but right, having been the counsel in the case, to inform the public correctly upon that subject, by asking you to publish a synopsis of the reasons given by the judge for the refusal.

As the counsel of this unfortunate man, I regret much that any attempt should be made to prejudice the public mind in his case. He is charged with a grave offence, and with an act too, calculated to stain the purity of the American charater if he be guilty; and every feeling man must deprecate the discussion of the subject in the public papers. Our court is near at hand, and upon his trial his guilt or insanity will be clearly established, by a verdict of a jury of his countrymen. Until then every consideration ought to suspend the investigation.

Yours, most respectfully, WM. L. BRENT.

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(Synopsis of judge Cranch's opinion.)

The prayer of the petition ought not to be granted, for the following reasons:

1st. Because the obligation to issue the writ of habeas corpus does not follow of course in the first instance, upon application merely, and the obligation to issue it ineffectually can only exist when the commitment is so general, that the court cannot know the real occasion, from the terms in which it is worded; for it is not to be awarded if the court is satisfied that the prisoner would be remanded to prison.

2ndly. Because the only fact stated as the ground of discharge is the *insanity* of the prisoner, and for that cause, (the judge says), I am requested to discharge him and "to do what belongs to humanity and to the prisoner, and *to secure the public peace and safety by proper restraint.*" If the prisoner be a dangerous maniac, as is alledged, the only manner in which the public safety could be secured, would be to remand him to the

on, where he now is. His imprisonment would then terminable; he would have no day in court, no means compel a trial, no right to apply for a discharge for of trial, and no right to bail, &c.

Unfortunately the claims of humanity have not as yet, this subject, attracted the attention of congress, al-gh they have before them the example of the British ament, in the enactment of 39, 40, Geo. 3, C. 94, h was introduced in consequence of the case of Had-, (who shot at the king in the theatre.) It is evident, the provisions of this act of parliament, that, by the mon law, a judge *could not do* what is asked by the ion, viz: "*to do what belongs to humanity*," by con-g him in any other place than the common jail. If, efore, Lawrence should be brought up by *habeas us*, and should be remanded at all, it must be to the custody in which he now is. The suggestion, there-, that, by committing Lawrence as an insane person, ondition can be meliorated, is not supported by law, furnishes no ground for issuing the writ.

o grant the writ upon the ground of *insanity*, would r the judge to try the cause. The commitment be-regular, and bearing upon its face sufficient cause, plea of *insanity*, being a matter of *defence*, must, after mitment, be *left for the jury*. The judge cannot try cause upon *habeas corpus*. If the witnesses offered he friends of the prisoner to *prove his insanity*, were nined, notice ought to be given to the attorney of the ted States, which would lead to a trial of the whole e without a jury. No such case has been found.

eing perfectly satisfied that the prisonor could not be harged upon the ground of *insanity*, if it were es-ished, and that, if brought up by *habeas corpus*, he t be remanded, it would be useless to issue the writ, it is refused. WM. CRANCH.

Vashington, February 14, 1835.

THE HONORABLE GEORGE POINDEXTER.

In the senate—March 2, 1835.

the evening session of this day the following pro-ling took place, in which the senate have indignantly the seal of reprobation on the atrocious plot against character of Mr. *Poindexter*, the senator from Mis-ippi:

Mr. *Smith* made the following *report:*

The select committee to whom was referred the com-nication of the hon. *George Poindexter*, respectfully orts:

That with an anxious desire to ascertain the truth con-ning the grave matters submitted to them, they pro-ded to take such testimony as they considered calcu-d to elucidate the facts; and, having carefully examin-the same, submit the following report as the result their investigation; and it gives them great pleasure ay, that in every fact and conclusion hereinafter set h the committee was unanimous.

t the first meeting of the committee, Mr. Tyler and Wright, were appointed a sub-committee to wait n the president, and respectfully request him to fur-the affidavits of Mordecai Foy and David Stewart, ether with any information in his possession relative he subject matter of inquiry.

These gentlemen made a written report to the com-tee of their interview with the president. (See doc. They also obtained the original affidavits of Foy Stewart, copies of which, marked B and C, are hereto nexed.

The committee readily unite in the declaration, that testimony taken before them, as far as it is applicable, y sustained the president in the statement which he de to the sub-committee; nor does it in any way ap-r, from any evidence before the committee, that the sident has had any connexion in this affair, directly or irectly, other than that which he himself has avowed. e committee will go even farther, and say that, consi-ing the situation of hazard and danger in which he been placed, by the attempt of Lawrence upon his , it was but natural that the president should desire have the whole matter explored. But the committee, ile they use this declaration, as due to impartial jus-, will not withhold the expression of their deep ugnance at the course of those who have gathered und him, (as if for no other purpose than to advance their own selfish views), to give to his feelings and his judgment a false direction.

The committee are fully satisfied that the design and tendency of the publication of the said affidavits, was to fix upon the hon. George Poindexter "the most infa-mous of all crimes, that of having been accessary before the fact, to an attempt to take the life of the chief ma-gistrate by the hand of an assassin." After a thorough investigation of the whole case, the committee find that the charge rests solely upon the evidence of said Mor-decai Foy and David Stewart.

Foy, in his affidavit, states that he has seen Richard Lawrence go into gov. Poindexter's dwelling house and return at different times; particularly on the Tuesday previous to his attempt to assassinate the president.

Stewart states in his affidavit, that about the last of December, 1834, or the 1st of January, 1835, he saw Richard Lawrence go into the dwelling house of senator Poindexter, on Four and a half street; and that on Tues-day, before the attempt to assassinate the president of the United States, he saw the said Poindexter and said Lawrence in the passage of said house in conversation.

The committee are of opinion that the statements con-tained in the aforegoing affidavits are the only material ones going, in any respect, to implicate gov. Poindexter in the criminal conduct of said Lawrence.

It is a principle of law commending itself to the mind of every one, that a fact from which an inference of guilt is to be made must first be established by competent tes-timony; and that the fact, when thus established, must be irreconcilable with the innocence of the accused.

The committee proceeded to examine said Foy, who testified that the dwelling house of said Poindexter ad-joined the dwelling house of Mr. Frost. He further stated that he had never seen Mr. Poindexter in com-pany with Lawrence in his life; that he had seen Law-rence go into the house of said Frost three or four times; that the only time he ever saw said Lawrence enter the house of governor Poindexter was on the Tuesday pre-vious to his attempt to assassinate the president, between 8 and 9 of the clock A. M. that he did not see Law-rence in conversation with any one; that he was not in the house at that time more than two or three minutes before he came out; that he did not see governor Poin-dexter that morning; that, at the time he gave his affida-vit, he did not know in which of the two houses gov. Poindexter lived, and said so the at justice's, nor does he now know that he had seen gov. Poindexter go into both of said houses.

It will be seen from the testimony of Foy, (No. 1), taken before the committee, that he swore he never saw Lawrence go into gov. Poindexter's house but once, and that was on the Tuesday previous to the assault; and in this he directly contradicts his first affidavit, in which he swears that he saw him go in several times.

From the testimony of Benjamin P. Smith, (No. 3), it appears that on the 14th day of the present month he met with said Foy, and, after some conversation, Smith inquired what he knew about this matter. Foy said he at first refused to give his affidavit, but had written to the president and stated what he knew. The question was then asked of him, what he did know; to which he an-swered, that he had seen Lawrence "painting the door of governor Poindexter's house." Smith replied that he was mistaken; for *that* door had not been painted. Foy still insisted on his statement. Whereupon Smith and Foy went to the doors of the houses occupied by governor Poindexter and Mr. John E. Frost, and arriving there, Foy pointed out Mr. Frost's house as the one in which governor Poindexter lived. Smith informed Foy that he was mistaken, for the other was the house occu-pied by gov. Poindexter; to which Foy replied, "Is it? then I am mistaken."

It is here worthy of notice, that all the information Foy pretended to have relative to the matter in question, when in conversation with Smith, was that he had seen Lawrence painting the door of governor Poindexter's house; yet even in this he evidently was, and then con-fessed himself to be, mistaken.

The committee would further advert to the discre-pancy between the testimony of Foy and that of Mr.

Frost, (No. 10), inasmuch as Foy testified that he had seen gov. Poindexter go into both houses; whereas Mr. Frost states that gov. Poindexter has never been into his house since he came into this city.

Various other inaccuracies, and discrepancies and contradictions might be pointed out, but they are not deemed essential; and the whole of them will be accounted for satisfactorily, as the committee believe, after having examined the testimony of Wm. J. Carroll, (No. 11), John Sheahan, (No. 14), and Seth Hyatt, (No. 16), from the circumstances in which these three witnesses unite, to wit, that the said Foy has become of late years idle and intemperate, and when under the influence of liquor, which is almost continual, he is talkative and noisy, and in their opinion, unable to discriminate objects with accuracy.

The committee next proceeded to examine D. Stewart. (See doc. No. 2.) He testified that between half past nine and half past ten o'clock on the morning of Tuesday, being the last Tuesday of January, 1835, he was passing up the street on the opposite side of the way to gov. Poindexter's house; that his carriage was standing before the door; that while passing on the opposite side of the street, he saw Lawrence in the entry of gov. Poindexter's house, in company with gov. Poindexter, and that the governor appeared to be in the act of going out.

Stewart further testified before the committee, that gen. Jackson desired him to state nothing more than the truth, and yet he explicitly declared to col. Brent, Mr. John A. Smith and Erasmus J. Middleton, on the 23d instant, that, if he had put into his affidavit all, and some say only part of what the general desired him to put in, it would have filled a newspaper.

The committee advert to this representation, and cite it merely to show the contradiction.

Stewart further testified before the committee, that he saw the carriage before the door of gov. Poindexter's house, yet in his statement to the three witnesses last named he declared that the carriage was before Mr. Frost's house. He further testified before the committee, that neither senator *Ewing* nor gen. *Duff Green* ever spoke to him on the subject of the Lawrence affair, and never used any influence or persuasion to induce him not to testify; in which declaration he is confirmed by Mr. Ewing, who swears that he never held any conversation with him on that subject; and yet Charles L. Coltman swears that he, Stewart, told him that senator Ewing and general Green at different times, had endeavored to persuade him not to disclose these facts; and F. P. Blair, (No. 8), testified that Coltman also communicated this information to him; and upon this authority, he, Blair, inserted it the Globe newspaper.

Samuel R. Addison, the private secretary of governor Poindexter, testifies that he usually calls at the governor's house about 9 o'clock, A. M. this being the ordinary breakfast hour; that governor Poindexter comes from his sleeping room to the breakfast table, and that said secretary usually accompanies the governor to the capitol, where they commonly arrive about 10 o'clock. Witness thinks that on the morning of the Tuesday previous to the attack made upon the president, he called as usual on governor Poindexter, and at the same hour of 9, and accompanied him to the capitol, that being one of the days of the week on which the committee on the public lands holds its meeting; that on this day an unusal amount of business was transacted by said committee, of which governor Poindexter is chairman, and produced the journal of the committee, which, on inspection, proved the fact, as regards the amount of business. That on this morning of which he was speaking, he is confident they must have arrived at the capitol about 10 o'clock. Witness knew Lawrence by sight, but never saw him at any time at the house of governor Poindexter nor in company with him. (See doc. No. 18).

By the testimony of senator McKean, (see No. 21), who is a member of the committee of which governor Poindexter is chairman, it will appear that governor Poindexter is remarkably punctual in his attendance at the committee room by 10 o'clock, the hour of meeting; and that Tuesdays and Fridays are the days on which the committee meet.

In the opinion of the committee, the testimony of these two witnesses, (Addison and McKean) renders it highly improbable, if not impossible, that Stewart could have seen Lawrence at the house of governor Poindexter at the time, and under the circumstances detailed in his testimony.

Again; the testimony of B. P. Smith and S. R. Addison (see paper marked G), places the case beyond all controversy, showing that the story uttered by Stewart is utterly false. They testify, that, by measurement, the street opposite to governor Poindexter's house is one hundred and ten feet wide; that by way of experiment they placed the carriage in the position described by Stewart; that they opened the front and back doors, and found it impossible for any one walking up and down the street, where Stewart declares himself to have been, to distinguish, so as to recognise a person, within the entry.

The testimony of Samuel Drury (No. 28) will satisfy any one who will read it, that Lawrence could not have been at the house of governor Poindexter at the time stated by Stewart. Drury's cabinet maker's shop adjoins that of said Lawrence, being at the corner of Pennsylvania avenue and 21st street, and is distant about a mile and a half from the house of governor Poindexter; that the partition which divides their shops is an open board partition, through which he could discover Lawrence in his shop; that Lawrence usually arrived at his shop about nine o'clock in the morning, and left it about eleven.—Witness recollects that on the Tuesday preceding the Friday on which he made the assault on the president, he came into his shop about nine of the clock in the morning, and left at about eleven; and that he particularly noticed and had a distinct recollection of Lawrence's coming to and going from his shop on Monday, Tuesday, Wednesday, Thursday and Friday; that on Friday morning, about nine o'clock, Lawrence came into his shop, sat down upon a chest reading, or looking at a small book, and was laughing. Soon after this witness heard the lid of the chest shut, and Lawrence exclaimed, "I'll be damn'd if I don't do it." Immediately Lawrence left his shop and went towards the capitol.

It will be perceived, that the testimony of Samuel R. Addison, B. P. Smith, senator McKean and Samuel Drury, is equally applicable to the testimony of Foy as to that of Stewart; and shows that neither of these witnesses could have seen Lawrence at the house of governor Poindexter at the time sworn to by them.

The committee inquired into the general character of David Stewart for truth and veracity, and found it to be very bad, and that he would not be believed on his oath, as will appear by the testimony of the following highly respectable inhabitants of Washington: Benj. P. Smith, (No. 3), Wm. Brent, (No. 4), Andrew Coyle, (No. 5), Alpheus Hyatt, (No. 6), Samuel Stettinius, (No. 7), John P. Ingle, (No. 9), Overton Carr, (No. 15), Seth Hyatt, (No. 16), Walter Clarke, (No. 17), Jacob Gideon, (No. 19), and Edward Simms, (No. 22).

Said David Stewart having been informed by the committee that witnesses had been examined as to his general character for truth and veracity, and being also informed that any witnesses he might name would be summoned to attend on his behalf, gave the names of the following highly respectable gentlemen, who were examined by the committee, to wit:

Hon. J. M. Robinson, (No. 30), C. K. Gardner, (No. 31), George Thomas, (No. 33), col. C. R. Broom, (No. 32), hon. Edmund Deberry, (No. 34), hon. Martin Beaty, (No. 35), col. James Thompson, (No. 37,) and gen. John P. Van Ness, (No. 38).

All of these witnesses testified that they were not sufficiently acquainted with the general character of David Stewart for truth and veracity to enable them to say any thing in relation thereto, except gen. Van Ness, who testified that he thought Stewart would not tell a deliberate falsehood; and Mr. Deberry, who, although he stated he knew but little of his general character, yet what he had heard, induced him to believe it was bad.

At this stage of the examination, governor Poindexter informed the committee that he considered it unnecessary to proceed further with the examination of witnesses to impeach the character of David Stewart, but that if hereafter, in the progress of examination of this case, it should be deemed necessary by the committee further to take testimony concerning the character of David Stewart for

truth and veracity, he had a number more of the respectable inhabitants of Washington ready to testify on that point.

The committee, having thus presented the testimony somewhat in detail, take leave to present the following synopsis:

The charge rests, as has already been stated, on the affidavits of Stewart and Foy.

The first of these men gave it its earliest impetus; he doubtless was ready and willing enough to seize on the first plausible pretext for uniting in any plan for the injury of governor Poindexter. He had been charged by governor Poindexter with having been instrumental, a year or two ago, in forging or furnishing free papers for governor Poindexter's servant, who then absconded, and he held, or pretended to hold, a small unsatisfied bill for repairs done to governor Poindexter's carriage, by directions, as he alleges, of that same servant, who was the governor's coachman.

Of his agency in the above transaction, or governor Poindexter's indebtedness, the committee will say nothing. They deduce from those circumstances, however, the fact of Stewart's unfounded allegations touching this matter. He sought, as was natural, some ally in this work of detraction, and he found him readily in Foy; who, although esteemed to be a correct man when sober, was rendered but too fit an instrument, from his habits of inebriation, in the hands of the designing.

The facts above stated would be enough to render Stewart a suspicious witness; but when to them is added the fact, that he is confronted by eleven of the most respectable men of the community in which he lives, who declare, under oath, that because of his general character they would not believe him on oath—when, too, many others of his fellow citizens stood ready to testify in the same manner, as the committee had full reason to believe—when he is flatly contradicted by the fact, established by two witnesses acting under instructions from the committee to make the examination, that from the situation in which Stewart represented himself to be across the street from governor Poindexter's house, and the circumstances described by him as existing at the time, it was impossible for him to have distinguished one man from another in the passage of governor Poindexter's house—when *alibis* are proved by unquestioned testimony, both as to Lawrence and governor Poindexter, at the time stated by Stewart; the one living a mile and a half distant, and the other most probably at the moment engaged in the discharge of public duties, at his committee room in the capital—and when, too, if Stewart is to be credited, his statement to colonel Brent and others would go to fix upon the president of the United States an attempt to induce him, Stewart, to swear to things of which he was ignorant, or that his statement, if given as the president desired it, would have filled a newspaper; thus implicating that high officer in a charge of subornation of perjury, which the committee, as Americans, repel with disdain—no two minds can differ in the conclusion, that this unfortunate man is guilty of an offence of the deepest dye against the public morals.

As to Foy, he has obviously been made an instrument to gratify the malignity of others. Stewart first approaches him, and gets from him some vague declaration. Mr. Frost's house happened to join that in which gov. Poindexter lived. Mr. Frost had had some painting done in his house during the fall, and a small portion of the work remained to be finished in the winter. Lawrence was a painter. These were the facts which were to be worked up into a charge of conspiracy. Foy, at the moment that he is declaring that he has seen Lawrence go in into gov. Poindexter' house, and has sworn to it, too, does not know the house in which gov. Poindexter lives. He points to Mr. Frost's house as the one in which the governor lived. Unfortunate witness! he has no chance of escaping from this sad dilemma but by concurring with Stewart in stating, that, although mistaken in the house, he has seen Lawrence *for two or three minutes* on one occasion in gov. Poindexter's house; remembers the very day; the very hour; every minute circumstance connected with it.

Let justice be done to this misguided man. Even in the presence of the justice he declared he did not know in which house gov. Poindexter lived, and averred he knew nothing calculated to implicate gov. Poindexter. All these disclaimers would not do. Coltman, a *member of the city council*, a government contractor, and a jobber about the public grounds and streets, urges him *four several times* before he would consent to swear, and finally had to intimate that he, Foy, would stand a chance to get the blacksmith work about the treasury building, then soon to be erected, as was expected, before he vouches his statement on his corporal oath.

The committee cannot too strongly express their aversion to, and abhorrence of, these proceedings. They are happy to believe that this vile attempt to implicate in the most atrocious act a member of the senate, has excited on the part of the other inhabitants of this city the strongest feelings of indignation; and the committee feel that it is due to every public consideration that the plotters and contrivers of this nefarious charge against an innocent man should be held up to public odium and scorn.

In conclusion, the committee offer to the senate the following resolution:

Resolved, That not a shade of suspicion rests upon the character of the hon. *George Poindexter* in reference to the subject matter of inquiry submitted to the select committee.

The report of the committee was UNANIMOUSLY ADOPTED by yeas and nays as follows:

YEAS—Messrs. Bell, Bibb, Black, Buchanan, Calhoun, Clay, Clayton, Cuthbert, Ewing, Frelinghuysen, Goldsborough, Grundy, Hendricks, Hill, Kane, Kent, King, of Ala. King, of Geo. Leigh, Linn, Mangum, Moore, Morris, Naudain, Porter, Preston, Robbins, Robinson, Ruggles, Shepley, Silsbee, Smith, Southard, Swift, Tallmadge, Tipton, Tomlinson, Tyler, Webster, White, Wright—41.

NAYS—None.

THE NAVY-PAY BILL.

It will be good news to the navy, its officers and its friends, that the bill to regulate (increase) the pay of the officers of the navy is one of the fortunate bills which have passed both houses of congress, and become laws. The following is a copy of it, which we have taken pains to get, knowing how many persons are interested in it:

An act to regulate the pay of the navy of the United States.

Be it enacted, &c., That from and after the passage of this act, the annual pay of the officers of the navy of the United States shall be as follows:

The senior captain, at all times when in service, four thousand five hundred dollars. When on leave of absence, or waiting orders, three thousand five hundred dollars.

All other captains, when in command of squadrons on foreign stations, four thousand dollars. When on other duty, three thousand five hundred dollars. When off duty, two thousand five hundred dollars.

Commanders, or masters commandant, when attached to vessels for sea service, two thousand five hundred dollars. When attached to navy yards, or on other duty, two thousand one hundred dollars. When on leave of absence, or waiting orders, one thousand eight hundred dollars.

Lieutenants, commanding, one thousand eight hundred dollars. On other duty, one thousand five hundred dollars. Waiting orders, one thousand two hundred dollars.

Assistant surgeons, waiting orders, six hundred and fifty dollars. At sea, nine hundred and fifty dollars. After passing, and found qualified for promotion to surgeon, eight hundred and fifty dollars. At sea, one thousand two hundred dollars. When stationed at navy yards, hospitals, rendezvous, and receiving ships, nine hundred and fifty dollars. After being passed and stationed as above, one thousand one hundred and fifty dollars.

Surgeons, for the first five years after the date of his commission, one thousand dollars. For the second five years, one thousand two hundred dollars. For the third five years, one thousand four hundred dollars. For the fourth five years, one thousand six hundred dollars. After he shall have been commissioned as a surgeon twenty years and upwards, one thousand eight hundred dollars. All surgeons of the navy under orders for duty, at navy yards, receiving vessels, rendezvous, or naval hospitals, shall have an increase of one-fourth of the foregoing amount of their respective annual pay, from the date of their acceptance of such orders.

All surgeons of the navy ordered to any of the ships or vessels of the United States, commissioned for sea service, shall have an increase of one-third of the foregoing amount of their respective annual pay, from the date of their acceptance of such orders. All surgeons of the navy, ordered as fleet surgeons, shall have an increase of one-half of their respective annual pay, from the date of the acceptance of such orders.

Chaplains, when attached to vessels for sea service, or at navy yards, one thousand two hundred dollars. When on leave of absence, or waiting orders, eight hundred dollars.

Professor of mathematics, when attached to vessels for sea service, or in a yard, one thousand two hundred dollars.

Secretaries, to commanders of squadrons, when commanding in chief, one thousand dollars. To commanders of squadrons, when not commanding in chief, nine hundred dollars.

Sailing-masters, of a ship of the line, for sea service, one thousand one hundred dollars. When on other duty, one thousand dollars. When on leave of absence, or waiting orders, seven hundred and fifty dollars.

Second masters, when attached to vessels for sea service, seven hundred and fifty dollars. When on other duty, five hundred dollars. When on leave of absence, or waiting orders, four hundred dollars.

Passed midshipmen, on duty, seven hundred and fifty dollars. Waiting orders, six hundred dollars.

Warranted master's mates, when attached to vessels for sea service, or at navy yards, four hundred and fifty dollars. When on leave of absence, or waiting orders, three hundred dollars.

Midshipmen, when attached to vessels for sea service, four hundred dollars. When on other duty, three hundred dollars. When on leave of absence, or waiting orders, three hundred dollars.

Clerks, of a yard, nine hundred dollars. First clerk to a commandant of a navy yard, nine hundred dollars. Second clerk to a commandant of a navy yard, seven hundred and fifty dollars. To commanders of squadrons, captains of fleets, and commanders of vessels, five hundred dollars.

Boatswains, gunners, sailmakers, carpenters, of a ship of the line, for sea service, seven hundred and fifty dollars. Of a frigate, for sea service, six hundred dollars. When on other duty, five hundred dollars. When on leave of absence, or waiting orders, three hundred and sixty dollars. Officers temporarily performing duties belonging to those of a higher grade, shall receive the compensation allowed to such higher grade while actually so employed.

No officer shall be put on furlough but at his own request; and all officers so furloughed shall receive one-half only of the pay to which they would have been entitled if on leave of absence.

If any assistant surgeon shall have been absent from the United States, on duty, at the time others of his date were examined, he shall, if not rejected at a subsequent examination, be entitled to the same rank with them; and if, from any cause, his relative rank cannot be assigned to him, he will retain his original position on the register.

One ration per day, only, shall be allowed to all officers when attached to vessels for sea service.

Sec. 2. *And be it further enacted*, That no allowance shall hereafter be made by any officer in the naval service of the U. States, for drawing bills, for receiving or disbursing money, or transacting any business of the government of the United States; nor shall he be allowed servants, or pay for servants, or clothing or rations for them, or pay for the same; nor shall any allowance be made to him for rent of quarters, or to pay rent for furniture, or for lights or fuel, or transporting baggage. It is hereby expressly declared that the yearly allowance, provided in this act, is all the pay, compensation, and allowance, that shall be received under any circumstances whatever, by any such officer or person, except for travelling expenses when under orders, for which ten cents per mile shall be allowed.

The bill passed the senate on Monday night.

It was not in shape entirely acceptable to the friends of the navy; and it was passed in its present form only from fear that amendments to it would cause it to be lost on its return to the other house.

NAVAL DEBATE—WOMEN PASSENGERS.

In the house of representatives, at Washington, one day last week, while the bill to regulate the pay of the officers of the navy was under consideration,

Mr. *Loyall*, of Virginia, offered an amendment, providing that no officer or other person employed in the navy, should take his wife, or any other female member of his family to sea, on board of a public ship. In support of the impropriety of so doing, he instanced the case of the 'Enterprise,' commanded by captain Tripp, and bound to New Orleans, which was fired into by a Spanish or British cruiser; in which case the only reason given why the fire was not returned, was that they had females on board. They were the wives of members of congress returning home. This case was enough, of itself, to show him the impropriety of permitting females on board our public ships.

Mr. *J. Q. Adams* hoped the motion would not prevail. It was not only derogatory to the character of those who had command of our vessels, but to the whole sex. It would be a disgrace, should it prevail, to the sex itself. Females were not, at this time, admitted on board a vessel without the permission of the department. The regulations of the navy prevented this. He thought there were situations in which the presence of females on board a public ship was dangerous; but, he would ask, what danger was there in time of peace? In time of war, the officers would not think of taking their female relatives. But, suppose the health of a wife, or a sister, called for a voyage across the Atlantic, who would deny an officer the privilege of taking that wife or that daughter in his own ship?

Mr. *Wise* said he wished his colleague to withdraw his amendment, but at the same time he must say, there was nothing so cumbersome on board a vessel as ladies. He had the authority of an experienced captain of the navy for saying this. Ladies required much room; they required live stock; and owing to this, they made a ship unhealthy. They were also the occasion of false musters. Fiddlers and dancing masters were, on their account, reported as able bodied seamen. They might, in some cases, be eunuchs, for what he knew. He wished such abuses to be prevented.

Mr. *Bird*, of Pa. said, Mr. Speaker, the question is, whether our navy officers are to take their wives to sea with them. I do not wish to deprive them of this privilege; but, Mr. Speaker, I think they ought to take common lot with our jack tars in this matter, of whom it is said, they find a wife in every port they go to. Mr. B. asserted the noble, chivalrous, and gallant character of navy officers; but, said he, I do not wish them to be encumbered with their wives and children, when at sea. In time of peace they may get wives. This may be permitted. But what business has a lady on board a ship? Let not our officers be permitted to take their wives and families with them to sea, to encumber them. Mr. Speaker, I have done.

The question was then taken on Mr. Loyall's amendment, and it was negatived. Ayes 60, noes 106.

THE CITIES OF THE DISTRICT.

In the senate—February 25.

The senate resumed the unfinished business of last evening, being the bill for the benefit of the corporations of Washington, Georgetown, and Alexandria.

[The bill as reported granted $70,000 a year, for five years, to the corporation of Washington; and $17,500 each to the corporations of Alexandria and Georgetown, for the same period.]

Mr. *Benton* then addressed the senate, expressing his willingness to grant the $70,000 for one year, but his unwillingness to bind congress for five sessions to come. He thought that the best course would be to make all the public lots a sinking fund, to be sold for the extinguishment of the city debt.

Mr. *Southard* stated that it was the unanimous opinion of the committees of both houses, that congress should do something for the city, and this bill united a majority of the votes of each committee.

Mr. *Benton* then moved to amend the bill so as to grant $70,000 for this year only to the corporation of Washington, and $17,500 each to the corporations of Alexandria and Georgetown, leaving it to congress to act hereafter, according to its own discretion.

Mr. *Tyler* stated that if the bill were to pass in its original form, the effect would be the removal of the incubus which now lies on the city, and presses it to the earth, the restoration of activity, and the advance of the value of landed property from ten to twenty per cent. But if the relief were only granted from year to year, it could produce no such beneficial result. There were citizens, who calculated that, when the Chesapeake and Ohio canal shall reach the Cumberland mountain, the wealth to be poured into the city would enable it to extricate itself from all its embarrassments, and to repay the loan granted by the general government. In conclusion, he declared that he intended no figure of speech, when he said that if we did not pass this bill, the city of Washington will be sold to the Dutch.

Mr. *Benton*—At any rate, congress could not suffer the city to be sold.

Mr. *Southard* said that if the bill were passed in its original form, the results would be, as had been pointed out, the enhancement of the value of the private property, and also of the public lots, to which the senator from Missouri looked as a fund. If ever the Chesapeake and Ohio canal can become profitable to the city, it will have proved so before the expiration of five years, and congress can then, if it be necessary to legislate on the subject at all, legislate with a full understanding of the subject.

The question was then taken, and the amendment was agreed to. The bill was further amended, to correspond with the other portions of the bill.

The question being on engrossment,

Mr. *Clay* said he would vote for the bill in its present form; but he hoped that the committee would next session report a bill to assume the whole debt and take a transfer of the stock.

Mr. *Preston* said he also felt himself compelled by dire necessity to vote for the bill. He could not see the city of Washington sold to the Dutch.

Mr. *Calhoun*, while he expressed the deepest interest in the prosperity of the city, regretted that he did not feel himself constitutionally at liberty to vote for the bill.

Mr. *Buchanan* declared that he now should vote for the bill under consideration, but he did not think he should vote for any further relief.

Mr. *Tyler* replied that, if the gentleman from Pennsylvania would not vote any further aid hereafter, the city might just as well be sold next June, as at any other time.

Mr. *King*, of Georgia, said he should also vote for the bill, but with great reluctance.

Mr. *Bibb* would vote for the bill, because he held the public faith to be beyond all price.

Mr. *King*, of Alabama, entered his protest against the doctrine that the public faith was pledged to the payment of the Dutch loan, or the interest. He would vote for the bill, as he would have done, if not amended.

Mr. *Leigh* vindicated the construction he had been last night induced to put on the bill, and repeated what he then said, that not one foot of the city could be sold, because no one would buy. The loss, if loss there was, would fall on the Dutch lenders, and the disgrace on the city.

Mr. *Waggaman* said he should vote for the bill, because he thought there was a moral obligation on the government to pay

and he would be willing to vote for the payment of debt.

ation was then taken on the engrossement of the bill, cided as follows:

Messrs. Benton, Bibb, Buchanan, Clay, Cuthbert, elinghuysen, Goldsborough, Kane, Kent, King, of King, of Georgia, Knight, Leigh, Linn, McKean, Nau-r, Preston, Robbins, Silsbee, Southard, Swift, Tom-er, Waggaman, Webster—27.

Messrs. Black, Brown, Calhoun, Grundy, Hendricks, um, Morris, Prentiss, Robinson, Ruggles, Shepley, right—14.

NATIONAL CONVENTION.

eting of the Republican members of the legislature of New York, convened at the capitol, in the city of Monday evening, February 16th, 1835, the hon. John sident of the senate, in the chair, and Mr. Mack, of and Mr. Gray, of the assembly, secretaries,

sevoort, of the senate, briefly stated the object of the and submitted the following resolutions, which were ly adopted:

, That this meeting do cordially concur with the re-embers of the legislature of the state of New Jersey, ending that a national convention of the democratic s of the union, be held at the city of Baltimore, on y of May next, for the purpose of nominating suita-ates for the offices of president and vice president of States.

, That, for the purpose of choosing suitable delegates ational convention, it be recommended that a state be held at the capitol, in the city of Albany, on the 9th day of April next, at 4 o'clock in the after-that such convention consist of delegates to be chosen ublican electors of the several counties, and to cor-number with the representation of each county in of assembly.

, That the proceedings of this meeting be signed by an and secretaries, and published in the Albany Argus republican papers of this state.

JOHN TRACY, *Chairman.*

MACK, CHARLES GRAY, *Secretaries.*

POLITICS OF THE DAY.

From the Knoxville Register.

Washington, February 2, 1835.

R: We enclose to you, for publication, a correspond-een us and our colleague, judge WHITE.

sons which induced us to address him are disclosed ter. We now think it correct, that what we have the subject of the next presidency, should be known stituents. Our preference has not been concealed *home* or *here*. We have believed, and still do, that we represent think with us on this subject, and that have been faithless to them, and to ourselves, if we frankness, so stated, to all those with whom we have

he friends of others were open and unceasingly press-laims, and using every endeavor to put down all op-nder a pretence that the republican party must not , we believed that we would be considered as acting city if we professed a preference for our colleague, same time alleged "that he ought not to be named, no chance of success, and that using his name would ct and divide the party."

e for some time believed, and still do, that he is the the majority of the republican party, if the great body ple are permitted, for *themselves*, to express their opi-

ncy we have had in this matter has been for the pur-lowing those who have the right to choose, to make ce *freely, untrammeled by any contrivance* of those to be *hereafter provided for*. With sincere esteem, our obedient servants,

WM. M. INGE,
JOHN BELL,
JAMES STANDIFER,
LUKE LEA,
JOHN B. FORESTER,
DAVID W. DICKINSON,
RALIE PEYTON,
DAVID CROCKETT,
WM. C. DUNLAP,
SAMUEL BUNCH,
JOHN BLAIR.

S. *Heiskell, editor of the Knoxville Register.*

Washington, December 29th 1834.

R: You cannot be unapprised, that for some time name has been frequently mentioned as a suitable succeed the present chief magistrate of the U. States. our colleagues in congress since the commencement ent session, we have been repeatedly asked what were ents of our own state upon this subject, and more what were your own wishes, and what would likely urse should public opinion seem to require the use me as a candidate; and fears are often expressed that not give your consent.

Upon this latter point we are at some loss what answer to give.

It is our wish not to deceive ourselves, or to be the means of deceiving others; we will, therefore, esteem it as a favor, if you will put us in possession of your wishes and determinations. Very respectfully, sir, we are, &c. (Signed as above.)

The *hon. Hugh L. White.*

Washington, Dec. 30, 1834.

GENTLEMEN: Your note dated on yesterday, was handed me a few minutes since.

I am aware that for some time past my name has been occasionally mentioned, in our own state and elsewhere, for the office you mention. I had never supposed it would be so far acceptable to the public, as to render an application to me necessary, to ascertain my wishes or determination.

Not having taken any pains to ascertain public opinion upon that subject, I am perhaps less acquainted with the sentiments of our own state than any of my colleagues. As to my own wishes and determination, I can have no difficulty in giving you an answer.

I am not conscious that at any moment of my life, I have ever wished to be president of the United States; I have never knowingly uttered a sentence, or done an act, for the purpose of inducing any person to think of me for that distinguished station. When the duties and responsibilities of the office are considered, in my opinion, it is an object more to be avoided than desired. I shall certainly never seek it while I have so little confidence in my own capacity to discharge the duties of it, as I now have. Those for whose benefit it was created, have a right to fill it with any citizen they may prefer, provided he is eligible by the constitution; and the person who would refuse to accept such an office, if offered by the people of the United States, ought to have a much stronger hold upon public opinion than I can ever hope to possess.

My most anxious wish is, that, in any use you may think proper to make of my name, you may lose sight of every consideration except the public interest. I have not had any agency in causing it to be used, and do not feel that I would be justified in directing the use of it to be discontinued. I can, however, with truth say, that if those political friends, who have used it thus far, shall have reason to believe a further use of it will be an injury, instead of a benefit, to the country, and may choose to withdraw it, they will have my hearty concurrence.

I am, most respectfully, your obedient servant,

HUGH L. WHITE.

The hon. *Wm. M. Inge*, &c. &c.

TREATY WITH THE OSAGES.

The following is given, with apparent authority, as the leading features of a late treaty concluded with the Osage band of Indians; for the accommodation of the Cherokees—

The Osages agree to cede to the United States, a strip of land, about twenty-five or thirty miles wide, extending along the southern border of their country, adjoining the Cherokee country, which will be amply sufficient, we understand, to satisfy the latter nation. In consideration of this cession, the United States agree to pay them an annuity of $20,000, for some twenty or twenty-five years, to be expended for their benefit as the president may direct; also $10,000 for the manufacture of cloths, &c. in their country, and $5,000, in goods or money, as they may choose. The government also provides in the treaty for the purchase of all the reservations heretofore granted by the Osages, and engages that the money arising from the sale of those to the mission societies, shall be appropriated as a school fund, for the benefit of said nation.

This treaty is made by major P. W. Armstrong, acting superintendent of the western territory, under the authority of the war department, to complete the unfinished business of the commissioners of Indian affairs: and, however, advantageous it may appear to the Osages, still it is justly their due, as the fairest portion of Arkansas has, at different times, been ceded by them to the United States, and they are now, we are informed, in a suffering and almost starving condition. And it is equally advantageous to the government, as a cession of the land which it acquires by the treaty to the Cherokees, will probably remove one of the principal obstacles which has hitherto prevented that portion of the nation who reside east of the Mississippi from joining their brethren in the west.

The 1st instant, we understand, had been fixed on for signing the treaty. It is probable some other provisions may be added to the treaty, but it is believed from the disposition manifested by the Osages to treat, that the foregoing outline embraces the material and most important features of it.

DEATH OF NATHAN DANE.

From the Salem, (Massachusetts), Gazette.

Died, recently, at Beverly, hon. *Nathan Dane*, the distinguished jurist and civilian, and one of the fathers of the American constitution, aged eighty-two.

He was a learned lawyer and patriotic statesman. He has devoted his long life of industry to the faithful performance of his duties in all the relations of life. He was born in Ipswich—was graduated at Harvard college in 1778—his legal studies he pursued under the tuition of the late judge Wetmore—in a few months after his admission to the bar he was chosen a representative in the general court by the town of Beverly.

The journals of the continental congress in 1787, 1788, while all the legislative and executive powers of the national government were vested in that single body, abundantly prove, that Mr. Dane was an able, efficient and influential member; and was frequently associated on the most important committees with Madison, Hamilton and King. He was the framer of the celebrated ordinance of congress of 1789, for the government of the territory of the United States, north west of the river Ohio, an admirable code of constitutional law, by which the principles of free government were extended to an immense region, and its political and moral interests secured on a permanent basis. One of its fundamental provisions, "that there shall be neither slavery nor involuntary servitude in the said territory," prevented, by a wise foresight, a mass of evils, and rendered that fine country the abode of industry, enterprise and freedom.

In drafting this ordinance, Mr. Dane incorporated into it the cardinal preventive provisions, against impairing the obligations of contracts by legislative acts. A few months after the adoption of this ordinance, the convention, which framed the federal constitution, ingrafted the same great moral principle into that instrument; and it is worthy of observation, that this fundamental provision was so much in accordance with the moral sense of the American people, that, amid the great diversity of opinions, and variety of amendments and objections to that instrument, in the state conventions, no proposition was made, from any quarter, to expunge this restriction on their power to resort to relief and stop laws, which had, in various shapes, at that time aggravated the distresses of the people.

He was chosen a member of the continental congress in 11 years after he began to prepare for college, and was one of the most active and efficient members.

The Dane professorship of law, founded at Harvard university by his munificence, will be an enduring monument of his anxious desire to promote the welfare of the community.

His abridgement of American law, in 9 large 8vo. volumes, will remain a proof of his learning and industry. He used to remark that it was not the fruits of a solitary and recluse life, because he had always, till he was 50 years of age, been in active and public life—from 1789 to 1793 he served on the committee to settle the accounts of the United States with the several states. His practice in the legal profession was laborious; he attended the courts in Maine as late as 1809 and 10 and 11, in very arduous land title causes.

His extensive law work he began by keeping minutes and a common place book, as there were then no American reports and no books of forms. He remarked that "reading right forward was heavy work," but by extracting and minuting he could sit up till midnight. His reading was extensive on the subjects of morals, history and governments, and on those topics he had compiled materials sufficient for a work of 3 or 4,000 pages.

TALLEYRAND'S RETIREMENT.

The *Moniteur* announces officially that the king has accepted the resignation of the prince de Talleyrand as ambassador to England, and has appointed gen. Sebastiani to be his successor.

The prince's letter follows:

"SIR: When the confidence of the king called me four years ago to the embassy of London, the very difficulties of the mission induced me to obey. I believe I have accomplished for the benefit of France and of the king, two objects of interest which I have always had in my mind, and which I have always considered as closely connected. During these four years, the maintenance of a general peace has admitted of all our relations being simplified. Our policy, isolated as it was, has been mingled with that of the other nations. It has been accepted, appreciated and honored by the honest men of all countries. The co-operation we have obtained from England has cost nothing to our independence or our national feelings; and such has been our respect for the rights of all, such has been the candor of our proceedings, that far from creating mistrust, it is our guarantee that has been called for against the spirit of propagandism which disturbs the old states of Europe. It is certainly owing to the exalted wisdom and great abilities of the king that all these satisfactory results must be attributed. I claim for myself no other merit than that of having divined before all others the profound thoughts of the king, and to have announced them to those who have since been convinced of the truth of my words.

Now that all Europe knows and admires the king, and thereby the principal difficulties have been surmounted—now that England has perhaps an equal want with ourselves for a mutual alliance between us, and that the path which she appears to be inclined to follow must induce her to prefer a mind with traditions less ancient than mine, I conceive, I may, without failing in my devoted duty to the king or to France, entreat, respectfully, that his majesty will accept my resignation, which I request you sir, will lay before him. My great age, the infirmities which are its natural consequence, the repose they counsel, the reflection they suggest, render this step very simple, but too fully justify it, and even render it a duty. I rely upon the equity and goodness of the king to form the same judgment. Accept, etc. PRINCE DE TALLEYRAND."

The following is the answer of the minister for foreign affairs, which is only dated on Wednesday—

"PRINCE: I have laid before the king the letter you addressed the minister of foreign affairs, by which you entreat his majesty to accept your resignation of the embassy at London. His majesty for a long time hesitated to accept it. In associating yourself with his sentiments and those of his government, you have so ably concurred in giving stability to the new monarchy and grandeur to its policy, and in maintaining the peace of Europe, that the king could not consent to deprive France of your powerful services and vast experience. But his majesty has felt that after so great and so long a career, the attachment even, and the gratitude he bears towards you, will not suffer him any longer to resist the desire you have expressed to him, on account of your great age, to retire into repose. Accept, etc.
RIGNY."

HEAT WITHOUT FIRE, &c.

The following wonderful article is copied from the London Chronicle of January 1—

When the properties of steam and its power were first ascertained, it was supposed that human genius could extend no further; still since then we have had our streets and houses lighted by gas, and now we are to have our residences warmed and our provision dressed without the use of "fire, flame, smoke, steam, gas, oil, spirit, chemical preparation, or any dangerous substance whatever." Incredible as this may appear, it is no less true, an ingenious German having invented a machine by which it may be accomplished. It is made of brass, is about 22 inches high, 12 inches wide, and six deep, has the appearance of a miniature chest of drawers, and is surrounded by an inverted crescent, which is hollow for the purpose of containing water. It is called "Wenn's solar stove," and is heated by "elementary heat," produced (according to the words of the inventor) by "separate and combined elements." It may be used with the greatest safety in ships, and in manufactories and warehouses, where, in consequence of the combustible nature of the stock, fires are prohibited. The process of heating is so clean and simple, that a lady with white gloves on may perform it without soiling them, or a child three years of age without injury.

Yesterday its powers were exhibited at the West India docks, before capt. Parish, the dock master, T. Sheldrake, esq. engineer, ——— Beck, esq. and a number of other gentlemen connected with the dock company, who expressed the greatest astonishment at Mr. Wenn's invaluable discovery, and said they considered it would be of incalculable service to the navy, &c. Heat was produced by invisible means in less than two minutes, and in three minutes afterwards, water which had been put into the crescent, boiled with such force, that the window of the room in which it was tried was compelled to be opened to let the steam escape. There is a drawer in the machine in which a steak or chop can be cooked in its own gravy, but there not being one at hand, the experiment was not tried. Three hours after it had been heated, from which time nothing had been done to it, it was found to be still so hot that it could scarcely be touched with the naked hand, although it had been carried from the docks to the city. We understand it is the intention of the ingenious inventor, who has expended all he was possessed of in bringing it to perfection, to exhibit it to the public at the museum of arts and sciences, in Leicester square.

LIST OF REVOLUTIONARY BATTLES.

1775.	April 19.	Battle of Lexington, Massachusetts.	
	May 10.	Capture of Ticonderoga, New York.	
	June 17.	Battle of Bunker Hill, Massachusetts.	
	Dec. 8.	"	Great Ridge, Vermont.
	" 31.	"	Quebec.
1776.	Feb. 27.	"	Moore's Creek Bridge, N. Carolina.
	Aug. 27.	"	Long Island, New York.
	Oct. 28.	"	White Plains, New York.
	Nov. 16.	"	Fort Washington, New York.
	" 26.	"	Fort Cumberland, New Jersey.
	Dec. 26.	"	Trenton, New Jersey.
1777.	Jan. 2.	"	Princeton, New Jersey.
	July 7.	"	Skenesborough, New York.
	Aug. 16.	"	Bennington, Vermont.
	Sept. 11.	"	Brandywine, Pennsylvania.
	" 19.	"	Stillwater, New York.
	Oct. 4.	"	Germantown, Pennsylvania.
	" 7.	"	Saratoga, N. Y. and subsequent surrender (16th) the whole British army.
	" 22.	"	Red Bank, Pennsylvania.
1778.	June 28.	"	Monmouth, New Jersey.
	Aug. 29.	"	Quaker Hill, Rhode Island.
1779.	March 4.	"	Briar Creek, North Carolina.
	July 15.	"	Stony Point, New York.
	" 19.	"	Paulus Hook, New Jersey.
	Oct. 9.	"	Savannah, Georgia.
1780.	May 8.	"	Santee, South Carolina.
	" 29.	"	Waxhaws, South Carolina.
	June 22.	"	Ramsaur's Mill, South Carolina.
	Aug. 9.	"	Hanging Rock, South Carolina.
	" 16.	"	Camden, South Carolina.
	Oct. 7.	"	King's Mountain, South Carolina.
	Nov. 20.	"	Black Stocks, South Carolina.
1781.	Jan. 17.	"	Cowpens, South Carolina.
	March 17.	"	Guilford Court House, S. Carolina.
	April 25.	"	Camden, South Carolina.
	Sept. 6.	"	Fort Griswold, Connecticut.
	" 8.	"	Eutaw Springs, South Carolina.
	Oct. 19.	Surrender of Yorktown, Virginia.	
	" 25.	Battle of Johnstown, New York.	

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THE PAST—THE PRESENT—FOR THE FUTURE.

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Our sheet is still filled with important papers, and will continue a while longer—for there never was a congress that left us so much interesting matter to bring up, as the last. It will be exceedingly useful as well for reading as for reference.

—

The following letter to the editors of the "American," dated the 18th inst. gives an account of the passage of the great internal improvement bill—by which Baltimore is about to be linked with the west, by the Ohio and Chesapeake canal—and with Pennsylvania, by means of the Susquehannah rail road. These important results, together with the incorporation of the Merchants' bank, with a capital of $2,500,000, it is believed will do great things for Baltimore.

The internal improvement bill came up to day in the senate, was passed by that body, and is now a law. It was decided yesterday by a vote of seven to six that, being a money bill, the senate had no right to amend it, and the amendments reported by the committee of internal improvements fell, of course, to the ground. To-day Mr. Wootton proposed to offer a message to the house with a view of having the same amendments inserted by that body, but subsequently declined doing so for reasons which he stated. The third reading was now called for, and the clerk had proceeded as far as the third section, when a discussion in regard to the provisions of that section arose, in which Messrs. Wootton, Pigman, Mayer, Claude and Hughlett took part. The bill was then read through, and the question being upon its passage, Mr. Morris rose and stated that he was desirous to say a few words in regard to his own course respecting it. He then remarked that he had been in favor of the amendments, and proceeded to state his reasons for thinking them proper. He disclaimed most emphatically, and in strong terms, any intention or wish to impede the passage of the bill by clogging it with amendments. With or without them, he should vote for it, and he trusted he had said enough to satisfy the senate that he was not actuated by captious or hostile feelings in offering them. His speech was short, but frank, liberal and manly. Col. Hughlett followed Mr. Morris, and stated his various reasons for voting for the bill. Originally, he said, he was opposed to appropriations of this sort; but as large sums had been spent by the state and by individuals, which would be thrown away without the aid now proposed to be given, and as he believed the security of the state to be provided for, he should vote for the bill.

Col. Emory stated that there were matters in the bill which he would be proud and most gratified in being able to vote for; but the want of the provisions proposed to have been added by the amendments of the committee, constrained him to vote in the negative. Mr. Wootton said that from the commencement of his political career, he had ever been an advocate for internal improvements. In this instance, however, he considered that the appropriations of the legislature, and the profits of the undertakings, would enure to the benefit of individuals, whereas, they ought, in his opinion, to belong to the state. He should therefore vote against the bill. The question was then taken, and decided in the affirmative by the following vote:

YEAS—Messrs. Chapman, Hughlett, Forrest, Mayer, Pigman, Claude, Morris, Osborne, Montgomery—9.

NAYS—Messrs. Wootton, Sappington, Emory, Wilson—4. Absent, Messrs. Page and Groome.

—

A letter from Annapolis dated the 14th of March, says: Much time was consumed in the consideration of the bill to incorporate the Real Estate bank, and the bill for the erection of Carroll county—the former of which was lost by a vote of 53 to 23, and the latter by a vote of 36 to 34.

—

President *Jackson* was sixty-eight years of age on Monday last—consequently at the end of his present term of office, will be "three score and ten."

—

General *Hamilton*, in his letters of *Pacificus*, having used the phrase "the government," as synonymous with the executive branch of our system, Mr. *Madison*, in his reply to those letters, made the subjoined comments:

"It is a just observation that words have often a gradual influence on ideas, and when used in an improper sense, may cover fallacies which would not otherwise escape detection.

"I allude particularly to the writer's application of the term *government* to the *executive authority alone*. The proclamation is 'a manifestation of the sense of the *government*,' 'why did not the *government* wait.'

"I remarked only on the singularity of the style, adopted by the writer, as shewing either that the phraseology of a foreign government is more familiar to him than the phraseology proper to our own, or that he wishes to propagate a familiar term of the former in preference to the latter. I do not know what degree of disapprobation others may think due to this innovation of language; but I consider it as far above a trivial criticism, to observe that it is by no means unworthy of attention, whether viewed with an eye to its probable cause, or its apparent tendency. '*The government*,' unquestionably means, in the United States, *the whole government*, not the executive part, either exclusively, or *pre-eminently*, as it may do in a monarchy, where the splendor of prerogative eclipses, and the machinery of influence directs, every other part of the government. In the former and proper sense, the term has hitherto been used in official proceedings, in public discussions, and in private discourse. It is as short and as easy, and less liable to misapprehension, to say, the executive or the president, as to say the government. In a word, the new dialect could not proceed either from necessity, convenience, propriety or perspicuity; and being in opposition to common usage, so marked a fondness for it, justifies the notice here taken of it."

—

The proposition in the house of representatives of *Massachusetts* for an appropriation for damages sustained by the destruction by fire of the Ursuline convent, has been refused by a vote of 413 to 67. Of the latter number 37 were members from Boston. The sum proposed to be appropriated was $10,000.

It is stated that the nuns will proceed either to Canada or Florida.

—

At a late meeting of the New York Protestant association, the following question was proposed to be discussed—"Is popery compatible with civil liberty," and a large and respectable assembly of ladies and gentlemen attended. But the doors were burst open, and a multitude of persons rushed in, who compelled the people to flee for their lives, after which they destroyed every thing they could lay their hands upon. *This is an affair of the same character as the burning of the convent at Charlestown.*

—

In reply to a letter of the members of the whig committee, chosen at a convention at Boston, nominating Mr. *Edward Everett* for governor of Massachusetts, that gentleman accepts the nomination in the following terms:

"I am deeply sensible of the honor done me, by this expression of the confidence and good opinion of the members of the convention. In retiring from the service of my fellow citizens of the fourth congressional district, I expected to return to private life. I am fully conscious of my want of experience for the new and arduous duties of the proposed station; but if the people of the commonwealth should be pleased to command my services, I should feel that I had no right to disobey the call."

—

Edward Everett will deliver an address on the 19th of April, in Lexington, at the request of that town. The remains of those who fell on that day, 60 years ago, will then be removed and placed within the railing round the monument.

—

A public dinner is to be given at Philadelphia to the honorable *George Poindexter*, and a committee of one hundred and fifty gentlemen has been chosen to make the necessary arrangements for the festival.

A committee has been appointed to proceed, *this day*, to New Castle, to receive Mr. *Poindexter*.

—

Masters commandant Foxall A. Parker, Edward R. McCall, Daniel Turner and David Conner, have been promoted to be captains. Lieutenants Thomas Cribb, Edward B. Babbit, James Armstrong and Joseph Smoot, to be masters commandant. Passed midshipmen Arthur Sinclair, Edwin Moor, Robert B. Hitchcock, C. H. A. H. Kennedy, Thomas W. Brent, George M. Bache,

Ezra T. Dougherty, Joseph Lenman, John W. Cox and John K. Mitchell, to be lieutenants.

There are now between *seven* and *eight hundred* slaves, offered by their owners, in various states of the south and west, to the American Colonization society, for liberation and removal to *Liberia*, if the society had the means of sending them. Unfortunately it has not. Cannot the benevolent and patriotic of this opulent nation furnish the means? Let the appeal be made, and we are sure they will.

The whole stock of the Wilmington and Susquehannah rail road—$400,000—was promptly subscribed last week. The portion of stock allotted to Wilmington was taken in half an hour, and the Philadelphia Inquirer states that when the hour arrived for the opening of the books in the latter city, the persons who were in waiting to make subscriptions were informed that all the stock had been already taken! It sold, a few hours after, at *four* dollars advance per share.

The rail road in question is designed to connect Wilmington with Simper's Point, at the head of North East river (a branch of the Susquehannah), five miles from Havre-de-grace. The length of the road will be twenty-five and a half miles.

The father and two sons, named King, who recently perpetrated the horrid massacre upon the family of Mrs. Casey, at St. Mary's (Ga.) have been arrested. Their accomplices have also been taken. Thus, all concerned in this unexampled butchery will soon be made to answer to the laws for their agency in the dark tragedy.

About the 11th inst. the French brig *D'Assas* departed from New York, escorted by the revenue cutter, who saluted her on parting, which was respectfully returned. She also saluted the *Constitution*, then lying below, with 13 guns, which were returned. The officers of the brig have good reason to be satisfied with the attentions paid to them.

Another French vessel of war, the *Ceres*, of 24 guns, has arrived at New York, from Brest, which she left on the 24th Jan. only 4 days after the D'Assas.

A fire took place in Apple alley, Baltimore, on Saturday night last, in which "*Old Hager*" was burnt to death—a well known person of color, supposed to be more than 100 years old.

We learn from the Gazette that on Wednesday morning, about 11 o'clock, an attempt was made to destroy the museum, at the corner of Baltimore and Calvert streets. A lighted candle was placed in the cupola under the steps. Two gentlemen, on going to this part of the building, discovered the steps burning, and, by pulling them down, extinguished the fire.

This, in five minutes, would have caused a fire of incalculable extent, the wind being high and the building very lofty.

The legislature of Virginia adjourned on the night of the 12th inst. after a session of 102 days—during which they passed 227 acts. Among the most important of them are those relating to internal improvements, and more especially those in aid of the James river work, and the Richmond, Fredericksburg and Potomac rail road. Another one deserving of note is the formation of a new county out of that of Ohio county, to be called Marshall.

Condition of the Ohio banks, January, 1835—

Capital stock	$12,200,000
Capital paid in	5,847,525
Specie	2,489,912
Circulation	4,564,898
Discounts	6,799,247
Circulation over $5	3,382,321
Circulation under $5	1,182,577

The whole number of banks in the state is twenty-seven. The largest capital is that of the Ohio Life Insurance and Trust company, which is two millions of dollars. The Commercial, Franklin and Lafayette banks, all at Cincinnati, have capitals of one million each. Several others have capitals of half a million, and several of one hundred thousand dollars.

The friends of *hard money* in Maine have reported charters for the incorporation of *eight* banks, and for increasing the capital of *five* others. A bill to restrict the circulation of small bills, even of one dollar, received only 65 votes, against 82—between 30 and 40 of the members "dodging" the yeas and nays. Was ever so great a humbug gotten up—as the new "travellings on gold!"

During the year 1834, there were received at the post office in the city of New York, 420,359 ship letters, or *eleven hundred and fifty per day*—183,855 of which were for city delivery, and 236,504 were mailed for distant post offices.

The Mobile Mercantile Advertiser of the 25th ult. says—"The day before yesterday there arrived at this port nine ships, three barques, three brigs, two schooners and five steamboats—making in all twenty-two arrivals in one day, without including lighting schooners and coasters between this city and New Orleans.

The beautiful little city of *Schenectady*, N. York, has been recently visited by a fire, the damages sustained by which are said to amount to 18,000 dollars.

There is a regular *set-to* between the *Wolf* "democrats" and the *Muhlenberg* "democrats," in Pennsylvania; and they "knock down and drag out" one another without the least ceremony! One is *in* and the other wants to get *into* office; and this is all the difference that we can discern between them. They both profess to be friends of Mr. *Van Buren* for the presidency—but the opinion is that the former *only* professes.

The tare marked on tobacco, at New Orleans, is a subject of much comment. The "Bulletin" of that city gives the tare marked, and the real tare, on five hogsheads, at N. York; the first was 784lbs, the record 1,334—difference 554 lbs.

Now—some solitary Yankee manufactured certain "wooden nutmegs," perhaps, and *all* Yankees are called, by some, "wooden nutmeg makers." What would the planters of tobacco think if they were *all* described as selling *wood* for *tobacco?* There are good and bad men every where.

The following is from the *New York Daily Advertiser*, of Monday last—

On Saturday forenoon the head carved by Messrs. Dodge & Sons of this city, was placed on the trunk representing president Jackson, on the bow of the frigate Constitution. The whole affair has been managed with great care and secrecy. It was given out when the frigate came into port, that she would remain some five or six weeks, and on Saturday we learn that some of her officers were in Philadelphia. When the frigate came up a few days since she anchored in the stream opposite the navy yard. The head has been carved with great caution; and a few hours after it was put on, two steamboats towed the frigate down the lower bay where she anchored some fifteen or twenty miles from the city, so as to be out of the reach of any popular excitement. The manner of placing this head on the frigate appears wholly in character—as the frigate has been provisioned at Boston there can be no doubt that she came round here for no other object, than to accomplish that which could not have been done in Boston. We are exceedingly gratified that since it has been determined, at Washington, that this head shall be placed on the bows of this most favored of all other ships in the navy, that it has been done by stealth. Had the ship been at the wharves of our city, or at any place where the populace could have reached her, we very much fear a riot of the most serious consequences would have followed, the end of which no human being could foretell. So far as we can judge, the opinion is general among all classes of respectable citizens, that neither the head of general Jackson, or that of any other living man, should be placed on the bow of that of all other frigates, but that she should continue with the same head and appearance with which she has won so many laurels in the wreath of our country's glory. The frigate, however, with whatever block she may have for a head, go where she may, will have the best wishes of every American.

[In some of the prints an issue is had—by saying that this thing was not done by stealth, &c.]

In the Philadelphia alms house, during the year 1834—3,571 persons were admitted—to wit: 1,676 natives of different parts of the United States, and 1,895 *foreigners*—1,303 from *Ireland* only!

—

The majestic steamboat *Randolph*, left Nashville for New Orleans, a short time since, with a cargo consisting of 3,600 bales of cotton, valued at $220,000; freight $10,000, besides a large amount in passage money.

—

The late winter appears to have been felt with severity in Louisiana. The St. Francisville Journal says:

"The injury done to the state by the severity of the frost, is incalculable. The sugar cane, plants and rattoons, are nearly, if not entirely destroyed—and it is questionable whether the culture of the cane will not be entirely abandoned. The orange, lime and citron groves are doubtless cut down. The fig trees, and all delicate shrubbery, we fear, are greatly injured, while our vegetable gardens are utterly laid waste—cattle are dying every where around us. Such are the effects of this frightful winter."

—

A letter from *New Orleans*, dated Feb. 16, published in the "Journal of Commerce," says—

With great pleasure I snatch a moment from other engagements, to inform you of what must be highly gratifying to every friend of humanity. A resolution has just passed the senate of this state, and been confirmed by the intelligent house of representatives, for appointing a joint committee of the legislature to inquire into the expediency of repealing *all* laws licensing gambling, and making the same a high penal offence, punishable by not less than 20 years labor in the state prison, or such other punishment as said committee may see proper to inflict. All hail, Louisiana.

—

We have before us, says a Paris paper, the *Royal Almanac* of Spain for 1835, and find in the list of the *grand crosses* of the order of *Isabella the Catholic*, the name of *M. Rothschild*. This dignity confers on whoever is invested with it, the title of *most excellent*. Hitherto *M. Rothschild* has been very silent in Paris about this new favor from *Maria Christina*—a favor conferred upon the eve of his paying several millions. At any rate, the admission of an *Israelitish* capitalist into the *Catholic* order of Isabella, is a proof of the progress of ideas in Spain, *and especially of the irresistible progress of the power of money* over the most inveterate prejudices in the habits of a nation.

—

The following analysis of the occupation of the population of Great Britain is taken from "Marshall's Statistics for the British empire:"—

Descriptions.	*Number of families.* 1821.	1831.	*Persons.* 1831.
Agricultural occupiers	250,000	250,000	1,500,000
Agricultural laborers	728,956	800,000	4,800,000
Mining laborers	110,000	120,000	600,000
Millers, bakers and butchers	160,000	180,000	900,000
Artificers, builders, &c	200,000	230,000	650,000
Manufacturers	340,000	400,000	2,400,000
Tailors, shoemakers, hatters	150,000	180,000	1,080,000
Shopkeepers	310,239	359,000	2,100,000
Seamen and soldiers	319,300	277,017	831,000
Clerical, legal & medical classes	80,300	90,000	450,000
Disabled paupers	100,000	110,000	110,000
Proprietors and annuitants	192,888	316,487	1,116,390
Totals	2,911,383	3,303,504	16,537,398

From this table it appears that the agricultural and mining classes compose 7-17th of the whole population; the manufacturing class 5-17ths; the commercial class 2-17ths; the professional class, including the army and navy, and the non-producing class of proprietors and paupers, making up, in nearly equal moieties, the remaining 3-17ths.

—

The war in Spain continues to be carried on with a barbarous ferocity which is almost as disgraceful to civilized Europe of the nineteenth century, as are the cold-blooded atrocities committed upon the down-trampled Poles by order of the emperor of Russia. On a recent occasion, a woman was brought out to be shot with several other prisoners made by the Carlists. She obtained permission to see for a few moments her husband, who, on learning her situation, begged to be taken as a substitute for her, as her life was more valuable than his to their children. The request was granted, and in a few moments this noble husband, devoted father, and heroic man, was a corpse.

The Caffers, in South *Africa*, are in a state of insurrection, and in such numbers, that successful resistance to their progress was utterly impracticable; the scattered inhabitants in every direction were compelled to fly from their dwellings, either to an adjacent village, or to concentrate in some spot where they might act on their defence with some prospect of holding out for a short time against the invaders. They had already killed many persons. Prompt measures of resistance had been adopted by the government at the Cape of Good Hope.

—

QUICKSILVER *vs.* STEAM. It is stated in the London times that the earl of Dundonald (better known as lord Cochrane) was examined last session, before the commons committee, on steam navigation to India. His lordship, among other matters, said he had projected "a substitute for steam," as well as "a new mode of propelling vessels." The substitute for steam is quicksilver; and he employs it "to produce power by exhausting one vessel and compressing air in another, thus forming an atmospheric *plenum* or *vacuum*, which will produce the same effect as the plenum and vacuum formed by the generation of steam and its condensation." This plan (superseding the necessity of carrying coals) he added, is peculiarly adapted to agitated water like the sea. The plan may be wholly worked without fuel. The evidence and papers are too long for extract, but his lordship concludes this part of his evidence with stating, that "vessels fitted with quicksilver apparatus might be provided with sails of the usual kind; there would be no smoke nor any fire, and there need be no indication from their external appearance that they are equipped in any other manner than as sailing vessels. As to the method of propelling *without paddle wheels*, (his lordship says), I should be happy to lay it before the committee, were my patent right secured."

—

THE RHADAMANTHUS STEAM FRIGATE. *From the Bermuda Gazette.* This vessel having made a longer stay here than was expected on her arrival, has given very many an opportunity of visiting her: and the attention of captain Evans and his officers has added much to the pleasures attendant on such an inspection. To those who have not had an opportunity of viewing the Rhadamanthus, we subjoin a few particulars of her dimensions as well as of her machinery, to assist them in forming some idea of the size, power, &c. of this splendid vessel. The Rhadamanthus has now been from England about nineteen months, and her officers speak in the highest terms of praise of her qualities as a sea boat and fast sailor.

Length	165	feet.
Breadth inside of paddle-wheels	46	"
Tonnage	813	
Engine horse-power	220	
Paddle-wheel diameter	21	feet.
Boilers hold	50	tons.
Coals	300	

and consumes on an average when in full power, one ton per hour, and is propelled by every turn of the paddles half a mile; the wheel revolves usually about 18 times per hour.

Armament—6 guns. 1 34lbs. long gun on the forecastle—1 32 long gun aft—2 32 short on each gangway.

A sloop of war's complement of men—4 engineers and 16 strokers.

—

BOUNDARY QUARREL. Ohio and Michigan, the one a state, the other a territory, have a dispute about the boundary which separates the north part of Ohio from the south part of Michigan. Ohio claims to run a line from the south point of Lake Michigan, direct to Lake Erie. This would include the whole of the Maumee bay, and its surrounding rich lands. These, heretofore, we believe, have been in possession of Michigan. The legislature of Ohio has ordered its governor to take possession of those lands. Michigan says she will resist, and—according to the United States Gazette, of Philadelphia—"a law is published, enacted for the occasion, which renders it criminal for any one to hold any office in that territory, or in any part of it as it is *now* constituted, unless he is appointed by the authorities of that territory, or of the United States. The acting governor has also given directions to brigadier general J. A. Brown, to proceed into the disputed territories, and there ascertain whether any officers are holding commissions under the new movement of Ohio, and if so, immediately to enforce the act against them, calling to his aid the *posse comitatus*, if necessary. The acting governor remarks, that there is but one feeling in Michigan, and that is decidedly against Ohio. Of course his excellency means *out* of the disputed territory. In obedience to instructions from the executive, general Brown announces that the *crisis* anticipated has arrived, and accordingly he orders out *three* brigades, and gives notice that if there is an officer in them who is not willing to peril "*life, fortune and honor*" for the territory, he is at liberty to give up his commission. These general orders conclude with the expression of a determination never to submit quietly to the invasion of their soil, whatever force Ohio may bring against them.

General Brown attended a public meeting held in the disputed territory, and was very roughly received. The meeting refused to hear him and his instructions, though subsequently, those of the meeting who were friendly to the authorities of Michigan, organized themselves, listened to general B. and

passed a resolution approving the proceedings of the executive. This is the present situation of the dispute between the sovereign state of Ohio, and the appanage, Michigan."

[*N. Y. American.*

SEIZURE OF SLAVES. A good deal of excitement was caused some time since by the seizure, at Nassau, of a parcel of slaves on their voyage to the south and west, and certain strong resolutions were passed concerning it. The brig Enterprise, of New York, for Charleston, was driven off the coast, and put into Bermuda, in distress, on the 20th ult. with 78 slaves. It immediately became known, says the Journal of Commerce, to the inhabitants that there were slaves on board, and accordingly, on the following day, at the instance of the "Friendly society" of colored people of Bermuda, a writ of *habeas corpus* was served upon all the slaves, commanding them to be brought before the chief justice, and answer for themselves, whether they would proceed with the vessel to her destined port and continue slaves, or remain at Bermuda and be free. The rest of the proceedings in the case we give in the language of the Bermuda Royal Gazette, received at this office.

The constable with the writ went off to the vessel, (then lying about 300 yards from the shore), and requested to see the master, into whose hand the writ was delivered. He passed it to a gentleman on the deck of the vessel, and asked him to read it; who, when he had done so, observed that the document was not served in proper form, and on the constable declining to take it back, it was dropped into the bottom of the boat. The constable immediately returned to the shore to report proceedings. In the interim the master having landed, a merchant of the town of Hamilton, who had witnessed the transaction, very kindly intimated to Smith, the necessity of his regaining possession of the writ, which he fortunately succeeded in doing. The master then came into court, and pleaded very hard, that the compliance with the writ might be deferred till the following morning, but under existing and somewhat suspicious circumstances the court was peremptory; accordingly about 9 o'clock, P. M. the whole of the slaves were marshalled into court; there were children without a single connexion with them, who had no doubt been torn from the very arms of their parents to gratify man, who is ever inventing means to gain filthy lucre; there were women too, with infants at the breast; and altogether, they presented a scene most degrading and revolting to Christianity. It has been asserted, and we place explicit confidence in our informant, that an attempt was made to tamper with these unfortunate creatures before they left the brigantine, by promising them money if they would say when questioned they had rather proceed with the vessel. But how little did the tempter reckon on human feeling, (though his anticipations were very great), where such strong self interest was concerned; he little thought that the heart of the poor and oppressed colored mortal could, with freedom in prospect, beat with as anxious a joy as that of a white person for any other cause; the result proved how groundless were his expectations.

The first man called upon was desired to stand up, and turn himself towards his honor the chief justice, who plainly, kindly, and very appropriately, addressed him to this effect:—"Your name is George Hammett; you came in the brig Enterprise, as a slave, and it is my duty, (understanding that you were kept on board that vessel against your will) to inform you that in this country you are free—free as any white person; and should it be your wish to remain here, instead of proceeding to the port whither you was bound, to be sold or held to service as a slave, you will be protected by the authorities here; and if you do decide to remain, you will become, as I have observed, a free person, and will be punished for any breach or breaking of the laws of this colony; while, if you conduct yourself with propriety, soberness, honesty and industry, you will meet with encouragement from the whole community—do you therefore wish to remain and be a free person, or continue your voyage to the vessel's destined port, and remain a slave?" It would be difficult to describe the sort of joy and wonderment, that was depicted upon the poor fellow's countenance, unawed now by the perhaps worse than frowns of his late oppressor, when he audibly and unhesitatingly declared he would rather remain and be a free man. The whole of them were acquainted singly with their condition, and each answered singly. When the poor little boys, some of whom were barely six years old, were kindly spoken to by the attorney general, and said that they had no relation whatever with them, it was a most interesting, and at the same time melancholy scene. O! that other nations would follow the glorious example of the British people in doing away the odious system of slavery, which, no matter by what political party brought about, will in after ages be spoken of as one of the noblest acts a nation ever accomplished, and one that will redound to the immortal honor of a Christian people.

But to continue, the whole of the slaves, save a woman and five children, by name Ridgly, declared themselves more desirous of remaining, and being free, than proceeding in the vessel. The chief justice gave them a parting admonition, somewhat to this effect: that they were not to suppose because they were now free, they were not to labor, but on the contrary, endeavored to impress upon their minds, the necessity of an industrious, sober, honest line of conduct, as by their good or evil course of life, they must stand or fall; and he trusted they would appreciate as they ought to do, this unlooked for boon of freedom, which, by Divine Providence, had been granted to them. He also observed that too much could not be said in praise of the Friendly society of colored people, who had thus generously exerted themselves to rescue so many of their fellow beings from cruel thraldom.

The attorney general then moved that a subscription be immediately entered into for the present emergencies of those now free persons, until, as he observed, "they began to feel their way, and had obtained employment." About $70 was the amount collected.

The crowd assembled to welcome the landing of these people was immense; they were received with cheers. The court room was filled almost to suffocation. The feeling of commiseration exhibited throughout the proceeding, by the Bermudian people of color, was really gratifying. Those persons who had but a short time since, been owners of slaves, spoke with disgust and utter detestation of the slavery system, and decried it, quite as much as any anti-slavery society in the mother country could have wished, so thorough a change has taken place of late years in the minds of the people of this colony. The court did not adjourn till near midnight, when a shelter was afforded to the now liberated people, by the worshipful William M. Cox, esq. in an unoccupied store-room in the town of Hamilton. They have all been since, as we understand, provided for, either as domestic servants, or taken under the protection of the members of the Friendly society, before named.

We must think that such things cannot be permitted. However much opposed to slavery—we recognise *slaves* as *property*, and cannot allow an interference with what is esteemed our rights, by the accidental circumstance of vessels being compelled to seek a place of safety in seasons of distress.

NAVAL FORCE OF THE DIFFERENT POWERS OF THE WORLD. As it will be interesting at the present time to know the naval strength of different nations, we have compiled, with care, from various sources, the following table, showing the number of ships of the line, frigates and smaller vessels, in the naval service of the various powers of the civilized world:

Countries.	*Ships of the line.*	*Frigates.*	*Sloops, brigs, &c.*	*Steam vessels.*	*Total.*
Great Britain	165	217	324	40	746
France	39	51	213	10	333
Russia	32	25	107	4	168
Ottoman empire	18	24	90		132
Holland	12	33	56	2	103
Sweden and Norway	10	13	238		261
Spain	1	3	30		34
Denmark	4	7	14		25
Portugal	4	6	37	2	49
Austria	3	8	61		72
Sardinia & Two Sicilies	4	8	17		29
Greece	1	2	25	2	30
Pope dom			8		8
Duke of Tuscany			1		1
Prussia			1		1
United States	7	10	24		51

It is necessary to remark, that, notwithstanding this list of formidable navies, the number of ships armed, or in a condition for active service, forms but a very small proportion to the sum total on the marine roll. Sweden, for instance, although possessing apparently such a powerful fleet, has seldom in actual service any but a few insignificant flotillas, merely to exercise her naval officers in nautical tactics. The total number of British ships of all sizes in commission, for instance, in January, 1835, amounted to only 182. France has seldom more than forty ships in commission, manned by 13 000 men, while Russia has always a larger proportion in actual service.

The number of vessels building, we have not stated. Thus, England has 62 of different sizes, besides 13 steamboats on the stocks; France 14—and the United States has five ships of the line and seven frigates building in her dock yards. Of the fifty-one stated in the above list, as belonging to this country, a considerable number are unfit for service. Since the close of the late war, nearly four hundred ships of different gradations, have been struck from the list of the British navy as unfit for service, and condemned and sold. The present navy of that country, as well as of France, is almost new.

[*Com. Ad.*

POLAND. M. *Isambert*, a distinguished deputy of the opposition, held in the French chamber on January 26th, the following bold and eloquent language with reference to the recent Polish claim put forward by Russia.

After referring to the present situation of Poland, he observed that if Russia made a claim in her own name, the treaty of 1818 might be brought forward in proof that France owes nothing. But if the claim were made in behalf of Poland, France denies the right of Russia to put forward such a demand, inasmuch as the latter had not fulfilled the treaties of 1815 with regard to Poland. *There was, however, one debt which France owed to Poland—her glorious companion in arms—but it was a debt of*

blood, which could be paid only on the field of battle. To the payment of that obligation the nation would consent—all France will say—we owe it—and but give the word, and the eager youth of all France will rush forward to discharge it—[hear, hear]! Let ministers demand from the chamber the means of defraying it, and they should be granted; but the chamber would never vote money only for the benefit of Poland's oppressor—[cries of "bravo!"]—and let it go forth to Russia and the world, that that debt—and THAT DEBT ONLY—WILL YET BE PAID.

FOREIGN NEWS.

From Paris papers to the 9th of February inclusive.

FRANCE.

Private letters as well as newspaper information, state that the report made in the senate of the United States, by Mr. *Clay*, as chairman of the committee on foreign relations, on the subject of our difficulties with France, was received in Paris, by way of England, and the unanimous vote of the senate on the resolution appended to it, reached there by the packet Francis I. The receipt of these documents are represented as opportune in the extreme, and to have had the effect of changing the aspect of affairs. The vote was regarded as a palpable censure upon the clause of the message of the president relative to France. To quote the language of the "Courier's" correspondent, "neither war nor outraged dignity, nor danger to our commercial relations is longer thought of. Attention is entirely directed towards the fair amount of the claims." On the 30th of January, M. de Rigny proposed that the chambers should proceed to consider the project of the law on Monday, the 2d February; but Thursday the 5th was ultimately fixed for the preliminary discussion. It was accordingly taken up on the last mentioned day, and referred to a committee consisting of one from each of the nine bureaux.

A Paris journal of the 7th states that the American indemnites had been examined in the bureaux, or standing-committees of the deputies, and that five out of the nine decided in favor of the law; that a sixth might be said also to be in favor of it, he only requiring additional documents. The three other bureaux did not require the rejection of the law, but a suspension until the American nation by the organ of its representatives, had made known if it had adopted the hostile intentions of the president or not. All the bureaux agree in blaming the conduct of the French ministers in concluding the treaty of 1831, and M. Passy, in his bureaux, demanded that the report should contain at least a severe censure on the manner in which the negotiations were conducted, and of the forgetfulness manifested by the negotiators of the rights of the chambers.

The bill was to have been examined in committees on the 12th ult. and the general opinion is that it will pass.

The Paris correspondents of the English papers affirm that there cannot be the least doubt now that the bill for the payment of the American indemnities will pass in the chambers, as the commission appointed to report on the question are unanimously in its favor. The vote of the United States senate, had removed most of the objections raised by the hurt pride of the French against the payment of the claim; and hence it is probable that it will pass without any paragraph throwing blame on the ministry, as was proposed by M. Passy.

On the division in the bureaux in the choice of the commission, the vote stood 240 favorable to the indemnities and 161 against them.

GREAT BRITAIN AND IRELAND.

The London Morning Post says that the feeling of confidence and attachment to the administration of sir R. Peel gains ground and increases rapidly. Mr. Abercrombie was to be run as the opposition candidate to sir Charles Manners Sutton, for the speaker's chair of the house of commons.

It is said that the queen is in a fair way to give an heir apparent to the crown! She is only about forty years old.

Sir Robert Peel, who went from London to North Warwickshire to vote for the tory candidate for parliament, had his vote objected to, and the objection noted on the poll book, on the ground of his being a minister of state.

It was expected that sir Robert Wilson would be sent as lord high commissioner to the Ionian Islands.

The commissioners of ecclesiastical affairs have commenced their sittings.

The ministry had determined to send a consul general, or consuls, to Persia, to protect and encourage the commerce of that country and England by way of the Black sea.

The vessel intended for the interesting expedition up the Euphrates left Liverpool, Wednesday, 4th February, at 3 o'clock in the afternoon. She is called the George Canning, and is of the best construction—burthen 300 tons.

The English government have sent out on board this vessel quite an armament of scientific men, amounting in all to 50, under the command of col. Chesney, of the royal artillery. The George Canning carries out two iron steamboats, taken asunder. The Euphrates and the Tigris, with all the requisites and great quantities of provisions of every kind. All the articles are packed in boxes, which will be transported up the Orontes, as far as that river is navigable. The packages will then be carried across the desert to Bir on the Euphrates. The carriage will be effected by camels, every one of which is to carry half a ton. The two steamboats will be put together at Bir. The sultan and Mehemet Ali, have engaged to protect the expedition.

An arrival from Liverpool, bringing Liverpool dates to the 11th and London of the 10th February, represent the opposition to the election of sir Charles Manners Sutton, as speaker of the house of commons, to be of the most resolute character; but it is asserted that the election of speaker will not determine the question whether sir Robert Peel can carry on the government, as it is believed that many will vote for Mr. Abercombie, who will, nevertheless, give the ministers a fair trial.

The cotton market had been very animated, and extensive sales made at an advance.

Parliament was to have been opened by the king in person on the 19th ultimo; for which purpose he, accompanied by the queen and several of the royal suite, would on that day leave Brighton.

The late general elections have returned 137 military and naval officers to parliament.

Lord Brougham had returned from a three months tour on the continent.

It is stated that a commission, with the archbishop of Canterbury at its head, has been appointed to draw up a plan of church reform. The names of this commission are said not to give much promise of substantial reform.

One part of the London and Greenwich rail road, a work now advancing towards completion, is to pass over three thousand arches, which arches are to be so constructed as to serve the purposes of cottages and be inhabited. This is certainly a novelty, and one of an agreeable character, that carriages full of passengers and goods will go over the tops of human habitations at great speed, with the most perfect security and convenience to all parties. To get rid of all smoke arising out of these residences of men and women, which would be a great annoyance on the rail road, the apartments or arches will be warmed by gass stoves, which will yield light and heat without smoke, and without impregnating the atmosphere with any noxious impurity.

STATE OF MARYLAND.

From the Maryland Republican.

PRESENTATION OF SWORDS.

Thursday last, the 26th inst. was the time appointed by gov. *Thomas*, for the delivery of the swords which the legislature of Maryland directed to be prepared and presented to col. (now general) *Towson*, of the U. S. army, and captain *Gallagher*, of the U. S. navy, as a testimony of the high sense entertained by their native state, of their efficient services and gallant conduct during the late war with Great Britain. Those officers reached this city during the forenoon. At 4 o'clock in the afternoon, a large number of persons, consisting of members of the legislature, executive and judicial departments, officers of the army and navy, visiters and citizens, assembled in the senate chamber, the scene of the most memorable ceremonies, the recollection of which may well be associated with the present. A discharge of artillery announced that the ceremony had commenced. Governor *Thomas* first addressing general *Towson*, observed:

General: It has become my welcome duty to tender to you the deeply felt acknowledgments of your native state, for the lustre shed upon her character by your distinguished military services during the late war with Great Britain.

Never was a country more gallantly or more nobly served, than was the American republic during that trying conflict, by the son of Maryland, whose station in battle came to be familiarly designated as "Towson's Light House;" and while I recollect with sentiments of mingled pride and pleasure, that there was scarcely an action upon our northern frontier during that war, in which your courage and conduct were not alike eminently honorable to yourself and advantageous to your country; I can but feel the highest gratification in presenting to you, in behalf of the legislature and the people of Maryland, this appropriate testimonial of their high estimate of these services, and of their affection for the patriot who rendered them.

Receive this sword, which I am well assured will, in your hands, ever gleam brightly in the cause of liberty, and be to the soldiers of freedom, an index to victory.

To which general *Towson* replied:

I feel most sensibly my inability to convey to your excellency, in suitable terms, the high sense I entertain of the distinguished honor conferred on me in the presentation of this sword.

I entered the army at the commencement of the late war, without experience or military information, but with a determination to devote all my energies to qualify myself to the extent of my capacity, for the profession I had adopted.

My company was one of the first ordered to Canada, under the command of that distinguished officer, now major general Scott. From the proportion artillery bears to other troops, it must frequently happen in small armies that a single company will form a distinct and complete command; and as the gallant spirits who were my superiors in the corps, aspired to more important duty, they seldom objected to my command being detached to join any other body of troops that required artillery. This will account for the opportunities afforded it to participate in several of the important events on the Niagara frontier.

Under such circumstances, I did not expect, although it was the first wish of my heart that my humble services would attract the attention, much less be considered worthy of this distinguished mark of the approbation of my native state; and I beg your excellency to receive, as the representative of the le-

gislature, on this occasion, and accept for yourself, the assurance of my unceasing gratitude and high respect.

The governor then addressing captain *Gallagher*, said—

Captain: I discharge with pleasure the official duty of making known to you the high sense entertained by your native state, of the gallantry displayed by you, in the late war with England, in winning renown for your country, and sustaining on the ocean the character and honor of the "Star spangled banner." America has ample cause to be proud of her naval heroes—in this pride, Maryland can claim her full share; and as one of her sons who have nobly won for themselves, in that service, wreaths of imperishable glory, she this day distinguishes captain Gallagher.

In the service of the republic, sir, your course

"Is o'er the mountain wave,
"Your home is on the deep."

Take with you this sword, which I now present you by command of the land of your birth, in token of her gratitude and affection—you will never draw it without cause, and we are already assured by the achievements its devices commemorate, that when drawn, you can never sheath it without honor.

To which the captain replied—

Your excellency: I receive with profound respect and gratitude, the sword you have now presented me, on behalf of my native state.

This mark of approbation of my conduct during the late war with Great Britain, by the legislature of Maryland, for whatever subordinate merit I may be supposed to have earned in the events to which this occasion refers, I am rewarded beyond all price, and beyond all pretensions, by this high compliment, while it impresses me with the deepest emotions, it will serve as an additional incentive to a continuance in the faithful discharge of my duty to our common country, and that it shall only be used, whenever it may become necessary to draw it, in the defence of that country.

For the very flattering manner in which your excellency has been pleased to carry into effect the wishes of the legislature, I beg you, sir, to accept my warmest acknowledgments.

—

The following resolution has just passed both branches of the legislature of Maryland:

Resolved, by the general assembly of Maryland, That his excellency, the governor, procure a sword, with suitable devices and ornaments, and present it, in the name of the state, to commodore *Edmund P. Kennedy*, of the United States navy, as a testimony of the high sense entertained by his native state of his distinguished and gallant services to his country, in the memorable action with the Tripolitan gun boats, off Tripoli, in August, 1804.

REVOLT OF THE SISTERS OF CHARITY.*

A complete insurrection of the "Sisters of Charity," an order of religieuses who in France devote themselves to attendance upon the sick, took place at the great hospital of the hotel dieu, at Lyons, on the 31st ult. The following details are given by the Censeur de Lyon of the 1st of January:—"It is now some time since a sister of the hotel Dieu, found guilty of having disobeyed the injunctions of the directors of this establishment, was sentenced to quit the house. The other sisters declared that the punishment was unjust, and that they would oppose its execution by every means in their power, even to actual resistance. They kept their word.

Yesterday, at six in the evening, a commissary of police, named Bardoz, appeared at the hotel Dieu, to take the refractory sister into custody, as she had refused voluntarily to quit the house. He had scarcely stated the object of his mission when he was surrounded by the sisterhood, abused and even assaulted by them. The warlike sisters did not stop here, but sounded the tocsin of the hotel Dieu, and called loudly for assistance. For two hours the disorder was at its height, and the unhappy patients might well have imagined that the last day was come.—At length M. Bardoz was enabled to effect his escape, but without having secured the criminal sister, and the field of battle remained in possession of the insurgents."

The Courier de Lyon contains long details concerning this singular insurrection. It states that although the tocsin rang by the sisters of charity was only sounded for a minute or two, in a very short space of time a crowd of from 500 to 600 persons assembled on the quay of the Rhone and in the hospital square, in the idea that a fire had broken out in the building. "Happily," adds the Courier, "the doors were closed and the mob soon dispersed at the voice of the porter, who assured them that it was a false alarm. The disturbance which the entrance of a crowd of people by night in such a scene of confusion would have occasioned, may be readily imagined. While one part of the rebels made head against the commissary of police and its agents, and while others sounded the tocsin, a sister named Toillond, rushed into the ward occupied by the female fever patients, and cried out, "Get up, all of you! your sisters are being taken away; your sisters are being massacred!" What must have been the effect of these words on the minds of persons weakened by pain and sickness? The consequence was nearly fatal to many. Finally, the commissary was unable to accomplish his object, and the sister sought for escaped from his clutches, being concealed in a cupboard."

The Reparateur de Lyon, a legitimate journal, publishes also an account of the affair, and concludes it thus:—"The sisters, proud of their success, barricaded themselves in their court yard, lit a large fire, and bivouacked till day on the field of battle, ready to repel any new aggression. The report was circulated that two prisoners were made by the belligerent sisters, but it does not appear to be true. It has been decided at the prefecture that the affair shall remain for the present in *statu quo* until the return of the Prefect, who is immediately expected, and to whom a despatch has been forwarded by an estafette."

*The following was published in the *Baltimore Chronicle*, of the 10th inst. as explanatory of the preceding article:—

Mr. Editor:—The article in your paper of the 6th of March, under the title which heads this communication, is calculated to wound the feelings of the community known in the United States under the name of the "Sisters of Charity." I am happy to have it in my power to rectify the statement contained in that article, as far as the sisterhood is concerned, and feel assured that you and the public will be equally happy to do justice to those heroines of charity, who are always ready to meet that danger from which so many others would fly. In the *Ami de la Religion* of the 10th of January, published in Paris, I find the following paragraph:—"We are requested to state that the sisters of the hotel Dieu, in Lyons, do not belong to the society known by the name of the *sisters of charity*, nor to any other religious order, formed on this model. They are women constituted by vows of any kind. The grievances arising from the existing administration of the hotel Dieu have been a source of affliction to the religious portion of the community, and the ecclesiastical authorities have endeavored to redress them. It is well that it should be known, that persons who were engaged in the singular transactions which have been related in our public prints, are *not* connected with any religious order."

ROYAL MARRIAGE CONTRACT.

The London Morning Herald contains at length the marriage contract of queen Donna Maria of Portugal, with prince Augustus Charles Eugene Napoleon, duke of Leuchtenberg. It was executed at Munich, Nov. 8, by commissioners duly authorised. It declares that the august father of the queen had proposed this prince for her husband, on account of the high opinion which he entertained of his noble qualities, and of the persuasion he entertained that he would not only promote the happiness of his daughter, but would contribute to the prosperity of the Portuguese monarchy, and to the consolidation of the institutions which he had granted. It declares also that the queen approves and confirms all the measures which had been taken in this regard, by her father. The first article of the contract stipulates that the marriage shall be celebrated at Lisbon by proxy, according to the forms of the Roman Catholic church, and shall be confirmed before the altar by the prince in person, when he shall arrive at Lisbon. The second article stipulates that the prince shall be naturalized as a Portuguese prince, and shall receive from the nation an annual subsidy of not less than 50 contos of reis annually. It is further stipulated that the prince shall be satisfied with this subsidy, and shall renounce all claim to the endowment of the queen. In case the queen shall survive her husband, his property is to pass to his natural heirs, and he is at all times to have the entire and free disposal of his property. In case he survives the queen, the subsidy is to be continued, and he is to have one of the royal palaces for his residence, unless he shall choose to reside out of the kingdom, in which case his subsidy is to be reduced one half. The children of the marriage are not to be permitted to leave the kingdom, without the consent of the cortes, nor to contract marriage without the consent of their mother, or in case of her death, of the head of the family who may succeed to the throne.

THE TWENTY-FOURTH CONGRESS.

The following states have elected to the twenty fourth congress the number of representatives to which they are respectively entitled.

Maine	8	Illinois	3
New Hampshire	5	Delaware	1
Vermont	5	South Carolina	9
Massachusetts	12	Georgia	9
New York	40	Louisiana	3
New Jersey	6		
Pennsylvania	28		148
Ohio	19		

Being twenty-seven more than a quorum. Mr. Wayne of Geo. has been appointed a judge of the supreme court of the United States since his election. There are therefore only 147 qualified to take their seats. In the following states the elections will be held as follows:

Rhode Island	2	in	April
Connecticut	6		April
Indiana	7		August
Missouri	2		August
Maryland	8		October
Virginia	21		April
Kentucky	13		August
North Carolina	13		August
Alabama	5		August
Mississippi	2		May
Tennessee	13		August
	92		

THE OFFICIAL ASSERTION.

From the Globe.

The house [of representatives] first passed the following resolution *unanimously:*

"*Resolved*, That in the opinion of this house, the treaty of the 4th July, 1831, should be maintained, and its execution insisted on."

It next passed the subjoined additional resolution as a corollary, and this, too, *unanimously:*

"*Resolved*, That preparation ought to be made to meet any emergency growing out of our relations with France."

THE OFFICIAL RECORD.

Extract from the Journal of the house of representatives—Monday, March 2.

The third and last resolution reported by the committee on foreign affairs, was then read as follows:

"*Resolved*, That contingent preparation ought to be made to meet any emergency growing out of our relations with France."

The said resolution was, *on motion of Mr. Cambreleng*, ORDERED TO LIE ON THE TABLE.

THE FRENCH QUESTION.

From the New York American.

We referred yesterday to a *memoir*, urging the fulfilment of our treaty, laid on the table of the deputies by *Geo. M. Gibbes*. We have since received for publication the annexed copy of a letter to that gentleman from *Mr. Jay*, of the chamber of deputies.

We have ourselves heretofore stated that, however indiscreet the publication of Mr. Rives' letters—and much greater indiscretion has since been committed in publishing those of Mr. Livingston; we found no allusion in the debates to those letters, in justification of the vote of the chambers rejecting the indemnity.

The testimony on this head, and as to the loyalty of the king, borne by *M. Jay*, must be deemed conclusive.

Copy of a letter from M. Jay, late reporter of the commission of American claims in the chamber of deputies.

Paris, January 24.

MY DEAR SIR: It is asserted in the American prints that the rejection of the American treaty by the chamber of deputies, at the last session, was chiefly owing to the publication of a letter from Mr. Rives to his own government. This is an error, which justice to that distinguished statesman, and a sense of his unremitting exertions to promote the interests of his government, whilst here, induce me formally to contradict.

No such evidence appears in the debates, and in none of my conversations with the members have I heard his letter alluded to as a motive for disputing the amount due. I much question, indeed, if any other deputy than myself ever read the letter alluded to.

I regret also to learn that doubts are entertained by some persons of distinction in the United States as to the desire felt by the king to have the treaty of 1831 confirmed by a vote of the chamber of deputies.

This is an error which you cannot correct too soon. Independently of the known loyalty of his majesty, the refusal of the chamber to carry into effect the treaty would tend directly to weaken the royal prerogative. Such is the opinion of enlightened men, who think the preservation of liberty depends on preserving, in its full extent, the prerogative of the crown, as well as the prerogative of the legislating powers. With perfect esteem, your most devoted, A. JAY.

To Mr. G. M. Gibbes.

COMMON COUNCIL OF WASHINGTON.

[COMMUNICATED FOR PUBLICATION.]

Monday, March 16th, 1835.

Mr. *Ellis*, from the 6th ward, offered a resolution, proposing an inquiry into the conduct of *Charles L. Coltman*, a member of the city council from the 2d ward, in relation to the subornation of witnesses, in the late conspiracy against the hon. *George Poindexter*, a senator of the United States.

Mr. E. remarked, that he had no personal feeling against the member from the 2d ward; but that he considered it his *duty* to offer this resolution, as Mr. Coltman himself, in order to give weight to his character, had referred to his being a member of the council; and if we are to give credit to the report of the committee of the senate, the part which he acted in this affair was so disgraceful, as totally to disqualify him for a seat in this body.

Mr. *Carbery*, of the fourth ward, was of opinion, that the board could not take cognizance of the affair, and he thought the member of the 2d ward would be sufficiently punished, by the censure which public opinion would cast upon him, without their interference. As for himself, he could not think of the transaction without shrinking from it with the utmost horror.

[Mr. *Coltman* rose to explain, but he seemed so much embarrassed, that his words could hardly find utterance, and took up his hat, stating, that he was not in a mood to reply; and asked leave to withdraw.

Mr. *McIntire*, president of the board, hoped that the member would not withdraw, till he heard what *he* (Mr. McI.) had to say on the subject.

Mr. C. however, retired.]

Mr. *McIntire* then said, that he was surprised that there should be any objection made to the introduction of the resolution, as it was a matter that not only concerned the honor of this body, but of the whole city. A deep injury had been inflicted upon us, (said he) and upon the whole society, by the conduct of a member of this board, who has attempted to poison the sources of justice and law, by the subornation of witnesses. Should such proceedings ever be countenanced in this country, no man's character, property, or life, will be safe. The member of the 2d ward has been proved to have been the chief actor in this nefarious conspiracy, against the life and character of an honorable senator of the United States. And shall we be told, that we have not the power to purge this body of such an unworthy member?

Suppose, sir, a member of this board had committed murder, or had stolen a horse, would you stop to inquire for *authority* to expel the guilty felon; or would you sit with that murderer or horse thief? I hope not.

On a former occasion, when an indignity was offered to the president of the United States, did this body search for a law to express its disaprobation of the shameful act? It did not. But a resolution was promptly adopted, expressing its detestation of the outrageous insult, without a dissenting voice.

Not only has the moral character of our city been deeply wounded by the conduct of this man, but its pecuniary affairs have greatly suffered, by destroying the confidence of congress in the city councils. He hoped, therefore, that the resolution would be received and referred to a select committee of six, one from each ward.

The resolution was agreed to, and the following committee appointed, viz: Messrs. Crandell, Mudd, Harbaugh, Carothers, Brown, and Ellis.

Extract from the journal of the board of alderman.

Monday, March 16, 1835.

Mr. *Watterston* submitted for consideration the following preamble and resolution, viz:

Whereas, in a report made on the 2d instant, by a committee of the senate of the United States, appointed to investigate the truth of the charges implicating the hon. George Poindexter, a senator from Mississippi, in the late attempt to assassinate the president of the United States, which report was unanimously adopted by the senate, the following declarations, among other things, are set forth, viz:

"Let justice be done to this misguided man, (M. Foy, one of the affiants). Even in the presence of the justice he declared that he did not know in which house gov. Poindexter lived, and averred he knew nothing calculated to implicate gov. Poindexter. All these disclaimers would not do; Coltman, *a member of the city council*, a government contractor, and a jobber about the public grounds and streets, urged him, *four several times*, before he would consent to swear; and finally had to intimate that he, Foy, would stand a chance to get the blacksmith work about the treasury building, then soon to be erected, as was expected, before he vouches the statement on his corporal oath.

"The committee cannot too strongly express their aversion to and abhorrence of, these proceedings. They are happy to believe that this vile attempt to implicate in the most atrocious act, a member of the senate, has excited on the part of the other inhabitants of this city the strongest feelings of indignation; and the committee feel that it is due to every public consideration, that the plotters and contrivers of this nefarious charge against an innocent man, should be held up to public odium and scorn."

And whereas, the two boards of the city council fully participate in the feeling of aversion to, and abhorrence of, the atrocious attempt to assassinate the character, and endanger the life of an innocent fellow-being, so timely exposed, and so unanimously expressed, by the senate; and, whereas, while they feel the deepest indignation at the gross imposition attempted to be practised on the president of the United States by the "plotters and contrivers," alluded to by the said committee, they as deeply regret that any member of either board of the city council should be implicated as a willing instrument or principal agent, in the perpetration of an act so atrocious and disgraceful, and so injurious to the character of their city. Therefore,

Resolved, by the board of aldermen, and board of common council of the city of Washington, That, in the opinion of the said boards, every individual concerned in plotting and contriving the false and nefarious charge against governor Poindexter, of an attempt to assassinate the president of the United States, ought to be held up, not only to public odium and scorn, but to the execration of every virtuous member of the community.

Which preamble and resolutions having been read, the further consideration thereof was, on motion, postponed until Monday next.

And, on motion of Mr. Watterston, it was

Resolved, That the said preamble and resolution be published in the several daily papers of the city.

Attest: E. J. MIDDLETON, *Secretary.*

REMARKS OF MR. WHITE, OF TENNESSEE.

IN THE SENATE—MARCH 3.

On the motion that the senate adhere to their disagreement to the amendment of the house of representatives, appropriating three millions of dollars to be used by the president of the United States to increase the navy, to increase the army, to add to fortifications, or to be used in such other way as may be deemed necessary for the defence of the country.

Mr. *White* addressed the senate to the following effect:

Mr. President: When the question to disagree to this amendment was before the senate, for the sake of economizing our time, I contented myself with recording my vote, without assigning my reasons for it. This I cannot do a second time.

This amendment was made by the house without any *intimation* from the president, that such an appropriation would be, in his opinion, necessary. It is made without any *estimate* from any department. Had the president believed the interest of the country required it, he would, without doubt, have so informed us, and accompanied his message with the proper estimates; because it was his duty to have done so, and for one I will not suspect him for an omission to perform his duty. If any member of either house believed an appropriation would be necessary, and that the president was likely to omit the necessary application to congress, he could have submitted a resolution calling upon the executive for information, and the necessary estimates, and, in answer to such a resolution, we could have been furnished with the views and wishes of the executive. Nothing of this kind has been done; and yet in the very last moments of the session, this amendment has been introduced, out of the ordinary course of business, and in such manner as to deprive us of all means of procuring any information from the executive.

But, Mr. President, there is another view of this subject presented to my mind so forcibly, that I must be allowed very briefly to state it to the friends of the chief magistrate. I profess to be among the number of his friends, reposing as much confidence in him as any man on this floor or elsewhere. I have not the most distant suspicion that one dollar of this money intrusted to him would be intentionally misapplied. But I beseech gentlemen to reflect on the situation in which we will place him by making this appropriation. It will be a plain admonition to him that both houses of congress think the situation of our foreign affairs requires that our country should be immediately placed in a better state of defence than it now is. That our navy should be increased, that our army should be increased, that our fortifications should be increased, and that additional munitions of war should be provided; and yet we throw upon him the whole responsibility of determining to what extent any or all these preparations shall be made. He is to determine how many additional ships, how many additional troops, how many additional fortifications, shall be provided. What will be the consequence? Every means will be used to induce him immediately to increase all these. The friends of the navy and of the army will each be importunate for an increase. Every Atlantic city will be urging an increase of fortifications for its defence. If he yields to these importunities, and expends this money, and the country remains in tranquillity and peace, as I hope it will, in what situation will the president be placed? Will not his enemies at once say, this money, placed at his discretion, has been wasted? The navy has been increased, as we did not expect. Here is a large addition to the army which we know not what to do with, and here are fortifications to rot on our hands, fortifications constructed in such haste as to be of no permanent use.

On the other hand, if he will not attend to our admonitions, and increase the navy, the army and fortifications, and danger should come, what then? These very same men will say, plenty of funds were placed at his disposal, and yet he has taken no step to prepare the country for defence.

Is it an evidence of friendship, to place the president in such a situation? I think not. It seems to me to be a cruel course towards him. If we really believe our foreign relations wear such a threatening aspect as to make preparations necessary, let congress, *with his advice*, say how many additional ships shall be built, how many additional soldiers we shall enlist, for we have officers enough, and how many additional fortifications shall be erected, and where. This will be taking the responsibility congress ought to bear, and it will leave to the president the task of seeing that these preparations for defence are made.

Any other course is unjust to the country, and cruel towards the president. If preparations are necessary, I am ready to make them to any extent, and to incur my share of the responsibility. I have the most entire confidence, that not one cent of this money will be intentionally misapplied by the executive should the appropriation be made; but I have no idea that in this extraordinary mode, in this singular manner, such a provision shall be made as will ease us of a responsibility which we ought to bear, and throw upon the president a burden, which, struggle with it as he may, cannot fail to injure him. Upon these principles, I have once voted against this amendment, and am prepared to maintain that vote, by recording another to the same effect.

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Remarks of Mr. White, in support of his amendment to the resolution of Mr. Benton, to expunge from the journals of the senate the resolution passed on the 28th of March, condemnatory of the conduct of the executive.

Mr. President: The object of my amendment is to enable each senator to express the opinion he really entertains of the resolution formerly passed by this body.

To vote for the resolution of the senator from Missouri, in its present shape, I cannot. He proposes to "*expunge*" from our journals one of our resolutions, which was adopted when our votes were taken and recorded by yeas and nays.

The constitution requires that "each house *shall keep a journal of its proceedings, and that, at the desire of one-fifth of the members, the yeas and nays shall be taken on any question.*" This constitution each member has solemnly sworn to support. When we speak of the journal of our proceedings, we speak of a book kept here, *under our own inspection*, in which is faithfully recorded, under its *appropriate date*, every transaction of the body. This book is the *original*, and all others are only copies of it.. Now, what is proposed by the resolution? It is to expunge one of the resolutions which we all admit we actually adopted, upon yeas and nays, on the 28th March, 1834. Now if we adopt this resolution, we solemnly order that our former resolution shall be *erased, rubbed out, blotted, obliterated*, or so corrected that it cannot be read. Suppose this order carried into effect, and any man to read our record, our journal, under date of the 28th March, and he would have no knowledge that such a resolution as that complained of had ever existed.

The answer given to this argument by the honorable senator is not satisfactory. He says in his resolution, now under consideration, "it is preserved, because it is set out word for word." But it is not under its true date; and upon that principle, if we wish to ascertain what was done 28th March, 1834, we must look not to the journal of that year, but to the journal of 1835. This would not be a diary or journal of our proceedings according with the facts.

Again. What would become of our *yeas and nays*? Are we to deprive ourselves, those of our own day, and posterity, of all means of knowing how we voted? The gentleman does not propose preserving our yeas and nays. I do not wish to lose mine, nor do I suppose any other member wishes to give up his record evidence of his opinion.

It appears to me plain that we cannot vote for expunging the journal, because it is contrary to the positive injunction of the constitution, which we are bound to observe.

Adopt my amendment, and then pass the resolution, and we accomplish every thing desirable. We "rescind" and declare "null and void" the original resolution. This is all that can be wished by any person: we reverse our decision because we now think it was *wrong;* and we declare it *null and void*, because it was always wrong, and ought never to have been adopted.

This is the effect of my amendment as first proposed by me: and now, at the instance of the honorable senator from Pennsylvania, (Mr. *McKean*) I have modified, so as to incorporate into it the additional words "repealed and reversed." It now reads, that the resolution of the 28th March, is "rescinded, repealed, reversed, and declared to be null and void." This, it appears to me, is as strong an opinion as we can give, that the original resolution shall not stand as the judgment of the senate, and that it ought never to have found a place upon our journals.

This far I am very willing to go, because it conforms to the opinion I now entertain, and to the one I entertained when the original resolution was adopted.

If time permitted, I would gladly say more on this subject: but it does not, and I must content myself with expressing a hope that my amendment may be adopted, so that I can vote for the resolution without a violation of one of my most solemn obligations.

MR. SPEAKER BELL'S ADDRESS.

From the National Intelligencer.

We have not before now been able to obtain for publication, from the journal of the house of representatives, the address of Mr. *Bell*, at the moment of adjourning the house, on the last night of the late session. It was as follows:

Gentlemen of the house of representatives:

It is a late hour, but I hope I may be allowed one word, in acknowledgment of the many obligations I am under to this house.

Duly sensible, as I am, of the value of that testimony of respect for your presiding officer, which you have this night ordered to be placed upon the journals of the house, and, as much bound as I am by that compliment to express my sensibility to your kindness, I am still more solicitous, upon this occasion, the last that may offer to me, to express a yet deeper and more abiding sense of gratitude, for that continued indulgence to my faults—that marked forbearance and tenderness to my many deficiencies, which have been manifest, on your part, from the first moment I took this chair, and which have continued to be manifested up to this, the last alloted hour of the present congress. The feelings inspired by a recollection of so much generosity, I am unable adequately to express, but they shall have a place in this bosom as long as there is a pulsation there.

But this is not the extent of the obligations I am under to you, gentlemen. If the public service had suffered essentially from any defect in me, the memory of your generous indulgence would afford me but a qualified pleasure. But you have, upon every occasion, given to me, your presiding officer, liable to err and actually erring, as he often did, your firm support in his efforts to prevent the effect of what seemed to him to be error in others; and thus you reconciled your continued forbearance towards him with your duty to the public, in supporting the regularity and dignity of the proceedings of the house.

It is needless to declare to you, how feeble, how utterly incompetent the efforts of any one must be, to discharge the duties of this station, without the cordial support of the members of this house. The satisfaction I derive from the reflection, that I have had your cordial and necessary support, is greatly heightened by two considerations—the one personal to myself, the

other of a public nature. Inexperienced as I was, when the duties of the chair were suddenly devolved upon me, I could deserve your support, in attempting to maintain the just authority and respect of the chair, only by bringing to the discharge of its various duties, a resolute determination to perform them with impartiality, and a suitable firmness and decision. However I may have failed in these purposes in particular instances, unconsciously and through the weakness of our common nature, I feel a proud satisfaction in believing that you have always duly appreciated my intentions and my desires.

But I have a yet higher gratification, founded upon the experience I have had in the chair; whatever may be the occasional disorders and intemperance incident to times highly excited by party conflicts, we have just reason to hope, that there will always remain a collective, an aggregate feeling and determination in this house to forbear those extremes, those excesses, which, if indulged, would justly forfeit the respect and confidence of the country.

None will question, that, whatever concerns the character and respectability of this house, as a co-ordinate branch of the legislative department of the government, concerns likewise the interests, the very being, of free institutions, and the rights and happiness of the human family. Whether this house shall continue to hold and actually exercise its due proportion of the powers of this government; whether it shall continue to contribute its due weight and authority in shaping the policy of this great country, and in elevating it to that high destiny which the friends of political and civil liberty in every part of the world, so devoutly desire; whether indeed such a destiny shall ever be ours, depend greatly upon the rank which this house shall continue to hold in the affections, the respect, and confidence of the great body of the people.

The recollection, that, while I have had the honor to fill this station, I have had your co-operation and confidence in my feeble efforts to sustain the due importance and respectability of this house, will be a source of high gratification to me, in the future vicissitudes of my life, whatever they may be. And now, at the moment of a separation, which, with many of us, may be permanent, I may be permitted to say, that if, upon any occasion, I have seemed to fail in that respect which is always due from the chair to the house, and to all its members, I can, with the utmost sincerity, affirm, that it was never intentional; and I beg to express my ardent wishes for the continued and uninterrupted health and happiness of every individual of which this house is composed.

DEBATE ON THE POST OFFICE.

HOUSE OF REPRESENTATIVES, FEBRUARY 24.

On motion of *Mr. Connor*, the house resolved itself into a committee of the whole on the state of the union, for the purpose of taking up the "bill to establish certain post roads, and to alter and discontinue others, and for other purposes."

Numerous amendments were offered, few of which found favor with the committee, and most of which were promptly negatived.

The evening was far spent, and the committee had made its way on the twentieth page of the bill, when

Mr. H. Johnson, of Louisiana, moved to amend the bill by inserting a provision by which it should be made "the duty of the postmaster general to enter into contracts for carrying the daily mail between Mobile and New Orleans."

An angry debate ensued, of which, from the lateness of the hour and the confusion attendant on the evening session, the reporter can give merely a general outline.

Amongst other members, the amendment was strenuously opposed by *Mr. Beardsley*, who insisted on the impolicy of establishing any new routes at all in the present embarrassed condition of the post office, and who, in adverting to that embarrassment and to the strange difficulties in which the department found itself involved, took occasion to allude to the postmaster general as having been "liberal to a fault, and he might almost say, beyond a fault."

After some observations from Messrs. *Wise, Seaborn Jones* and others.

Mr. Peyton, in remarks of some length, called upon the hon. member from New York, (*Mr. Beardsley*), to declare to the house, what was the latent meaning of the language he had used towards the postmaster general, when he stated that "he was liberal to a fault, and he might also say, beyond a fault."

In claiming this explanation, Mr. P. said, that this was not the proper opportunity for gentlemen to drag forward the conduct of the postmaster general, nor to show their patriotism at his expense, if they were desirous to do so. He had once thought that that officer had some sincere friends, but he began to think that they were fast falling away. Did the honorable member from New York intend to say, or to insinuate, that the postmaster general had connived at a dishonorable expenditure of the public money, or that to gratify particular men, interests, or objects, he had stepped aside from the plain and open path of honesty? If the honorable member did intend to say so, he (Mr. P.) denied the assertion, and he wished to have an avowal or disavowal of the imputation. He expressed his astonishment at the new born zeal which had been growing up for the last three, four, five or six weeks, (not longer), in respect to the postmaster—a zeal which seemed inclined to make an attack upon the character and conduct of that individual. He (Mr. P.) disliked side thrusts of all descriptions, even though not probably intended. For his own part, he must say, that he believed the postmaster general to be pure, honest and patriotic, and withal as honorable a man as God had ever made.

Mr. Beardsley said, that if the honorable members, who had found fault with his expression, (*Mr. Wise* and *Mr. Peyton*), had heard and comprehended what he had said, and had known and appreciated his feelings on the subject, (feelings, the only object of which were to do justice to the postmaster general, and to all public functionaries as well as private individuals), he was sure they would not have fallen into the error which they had committed, in regard to his motive, and still less would they have indulged in the strain of censure which had characterised their observations. He did not distictly understand what the gentlemen themselves had meant. Was it censuring a man, or imputing a crime to him to say, that he had been "generous to a fault, and almost beyond a fault?" did those gentlemen sincerely believe, that the force of this language imputed a criminal design, or that the person who had made use of it entertained any such opinion? He dismissed the thought. The honorable members ought to have known him and the subject better, than to believe him capable of remarks pointing to a criminal intention in the mind of the postmaster general. No—with all his faults, (and who was without them?) he, (Mr. B.) repeated that the postmaster had been generous, and confiding, immeasurably so, but he was as ready now as ever he had been, to bear testimony to the purity and uprightness of that officer. He made this declaration, because he believed it to be truth, and not because the honorable members had chosen to put an interrogatory to him. But as to asserting that the postmaster had not confided in others, to such an extent as that the department had fallen into great derangement—why, he would say nothing about it. He merely desired that neither here or elsewhere should any conclusions be drawn from his language, which it never was intended to warrant.

Mr. B. again alluded to the inexpediency of passing such a bill in the present condition of post office affairs, and said that, at a proper season he proposed to offer for the consideration of the house an additional section, providing that none of these routes should be followed up, until the finances of the department were again in a disembarrassed condition.

Mr. W. C. Johnson, of Md. was understood to inquire from the chairman on post offices and post roads, (*Mr. Connor*), what would be the probable expense to the department, of carrying these routes through?

Mr. Connor was understood, in reply, to state that he could not distinctly say what the expense would be, but he thought about $50,000.

Mr. W. C. Johnson proceeded to express his entire disapprobation of the bill, in every shape and form. The department was in a state of absolute bankruptcy.

He would now express his conviction upon this floor, that that department was corrupt from head to foot, through and through; and for the postmaster general, he believed him to be as culpable as any officer under his control.

Mr. Garland called to "order."

The *chair* said, the gentleman was certainly wandering a little from the direct line of the debate, he must confine his remarks.

Mr. Johnson continued: He would endeavor to do so, and if his observations should annoy any honorable members, he could not help that. His only desire was to speak his sentiments frankly, he hoped he spoke them understandingly.—He knew his responsibility to members of this house, he also knew his responsibility to the house itself, and he should on all occasions yield with respect to the opinion of the chair.

His objection was not to the bill in details, but to the bill in the aggregate. It was calculated to increase the expenditure and patronage of the government, at a time when it was corrupt enough from one end to the other, from the postmaster general, down to the most subordinate officer in the service. He made this declaration, because he believed it, and because he had data and facts to sustain it.

He moved to strike out the enacting clause of the bill, and asked for the appointment of tellers on the motion.

Mr. Hawes agreed with the honorable member from Maryland, as to the propriety of striking out the enacting clause, in this and every other similar bill, until such time as the department should have funds to carry on the routes. He believed that the routes contained in this bill, would add an expenditure to the already exhausted treasury of that department, of full three hundred thousand dollars.

But there was one point on which he differed from the honorable member, and he hoped that on consideration the gentleman would withdraw the assertion he had made. If, continued Mr. H. I understood him correctly, he gave it as his opinion that the department was corrupt from the postmaster, down to the lowest officer in his service: did I understand him correctly?

Mr. W. C. Johnson, you did, sir.

Mr. H. continued, this was indeed a broad and sweeping assertion, to go forth to the people of the United States, from this house, that one of the highest officers in the government had been corrupt in the discharge of his duty. He Mr. H. had been one of those who for months past, had been engaged in the investigation of the post office affairs, and although he believed with the member from New York, that the postmaster general had been too liberal and confiding, that he had involved the department in unnecessary expenditure, and that he had brought

unnecessary and improper burdens upon it, yet he would say because he believed it to be the fact and because there was not one iota of testimony before the committee to disprove or qualify the assertion, that he believed the postmaster general to be as pure, as honest, as honorable and high minded a gentleman, as any individual who had the privilege of a seat on this floor. He would ask the honorable gentleman from Maryland, he would ask every member of the committee, if they could point to one shadow of a transaction, or to one solitary scratch of a pen which contained any thing that could throw a breath of suspicion upon this officer as a just and honorable man? He denied it and he called upon the member from Maryland, to declare on what grounds he had asserted corruption.

He was sorry to see that the members from Virginia and Tennessee, (Messrs. *Wise* and *Peyton*), had indulged in such remarks as had fallen from them in reply to the observations of the member from New York. For himself he believed it to be the part of a true friend to tell a man of his faults, and he thought the member from New York had acted in that capacity, when he had proclaimed that the postmaster general had been too confiding and liberal, that he had listened too easily to the solicitations of members on this floor, and of the people in different parts of the country. Undoubtedly such was the fact.

Mr. *Wise* offered some explanations in reference to remarks he had made on the expression which had fallen from Mr. *Beardsley*. He thought probably that the house did not exactly understand the part he had taken. It was well known that he had not been considered a personal friend to the postmaster. He condemned that officer, not for political malfeasance, but for political mismanagement—and to that extent to which both the reports had condemned him. He had never heard, neither from friend or foe, that the integrity of the postmaster had been impeached until he heard it from the member from Maryland. He had said what he did, because he thought that the observations from the member from New York needed an explanation, and he was desirous to give him the opportunity of making it. He thought that something more of culpability was intended than it appeared there had been, and he wished to understand directly from the gentleman whether there was any real design to impeach the motives of the postmaster. The remark had struck his mind, as it appeared to have struck the minds of other members, and all he sought was to know the true intent of the language which had been applied. He was glad moreover to express his dissent from the opinion which had been expressed by the member from Maryland.

Mr. *Hawes* continued: He would again repeat, that it was the part of a true friend to tell a man fairly and openly of his faults, and any man who would rise upon this floor or elsewhere and say that the postmaster had not been guilty of faults was no true friend to him. He thought that the member from New York was discharging one of the very best acts of friendship, when he made the declaration he did. The land from which the postmaster came, was not the land of dishonest men; and if it were, that officer was one of the last men on the face of the earth whom any gentleman had a right to charge with dishonesty. He made this declaration on a knowledge of his character, for he had known him for years, and during some part of the time intimately. It was true the postmaster had been an unfortunate man: it had been his fate to go through life almost in poverty, and there could be adduced no stronger proof of his honesty than the fact that, with all his reverses, and whilst others were wallowing in millions, he never closed his ear to the poor man's want.

He would repeat, that although the postmaster had brought deep embarrassment on the department, and had involved it in trouble, almost in ruin, there could be found no charge of dishonesty or corruption against him—and that he was as honest and honorable a man as any that had a seat on this floor. He again called on the member from Maryland to give the grounds on which his charge had been founded.

Mr. *W. C. Johnson* said, that having been called upon so repeatedly to assign the grounds upon which he had founded his assertion, he rose for the purpose of doing so. He had not felt disposed to interrupt the honorable member from Kentucky in his observations; but he would take this occasion to say, once for all, that although he did not in the least doubt the sincerity of that gentleman's opinions, that the postmaster was an honest, high minded, and honorable man; at the same time, he did not retract the sentiment which he had expressed a few moments before. On the contrary, he repeated that he believed there was corruption from beginning to end, from head to foot, from the highest to the lowest officer in the department. He did not intend, by this assertion, to criminate any individual separately; he spoke of the department in the aggregate.

He had been asked for the data on which he had formed his opinion. He would give data. [Mr. J. was here understood to allude to the vote of the senate, at the last session of congress pronouncing an opinion that the *department*, not its tools or its subordinate officers only, but that the department, had violated the constitution and laws, by unauthorised loans and extra allowances.]

Mr. J. continued: were we to be told that these things were done by a subordinate officer, and that the head of the whole department was free from blame? He, for one, held the head of the department to be the responsible man; he looked upon him as the guilty individual, and to say that he was not the responsible man would be to shrink from the plain path of our duty. Were members to be frightened from their propriety—were they to be driven from the honest expression of their opinions when corruption, deep and rank, was stalking abroad which every man might gaze upon, and which no man could deny. He would say that the head of a department, when he knew that such corruption existed, and refused to remove individuals who might have caused it, was himself accessary to the corruption, and, therefore, criminal. No honorable man could deny that such was the fact. There was confirmation strong that these officers had been guilty of corruption, and even of bribery, and yet they were continued in office; and if the postmaster knew that such practices were in existence, and still continued the defaulting individuals in office, the irresistible conclusion was, that he himself was no better than his officers. This, at least, was the conclusion to which he (Mr. J.) had come, and he hoped he had arrived at it as an honorable man ought to do. Others might entertain different opinions, and they had a right to do so. He had felt it to be his duty to express his sentiments; he was well aware of the responsibility he had incurred, and he would never shrink from it. He would look upon a member of congress as a recreant to the trust which had been reposed in him, if he could turn away from a full and fearless avowal of the opinions he honestly entertained, on this or any other subject. He, however, had spoken these sentiments with no personal disrespect towards the postmaster; he knew him not, or, if he did, he had no acquaintance with him. He had no personal motive to gratify; and if on the one hand he sought no difference or collision of sentiment with any member of the house, on the other, he should always express his opinions whenever he considered it his duty to do so.

Mr. *Stoddert* intimated his intention to vote in favor of the motion to strike out the enacting clause. To induce such a course, it was enough for him to know, that the department was at this time in debt, to the amount of two or three hundred thousand dollars.

As to the postmaster general, the reports would show that, although his honesty had never been called in question, still his incapacity was sufficiently plain. Whatever his faults might have been, there could be nothing in all these transactions which could affect his private character.

After some remarks from Mr. *Garland* and Mr. *Lane*,

Mr. *Beardsley* rose and replied to the data which had been adduced by the member from Maryland, in support of the charge of corruption. He had listened with attention to the remarks which that gentleman had made, and he admired the spirit and candor with which he had avowed his opinions. But this was the first time he (Mr. B.) had ever heard that, because a public officer had transcended the powers vested in him, therefore he was corrupt.

Mr. B. answered at some length the two specific charges of loans and extra allowances, and cited previous usage as an argument against the charge of corruption.

The member from Maryland had made some general charges about bribery, but as he had laid down nothing specific on this point, he (Mr. B.) need not make any reply. He concluded by stating, that probably no public officer, having any power in his hands, had retained office for any length of time without transcending the power that was given to him; and if the necessary inference from such a proceeding was, corruption or dishonesty, who on earth could stand up.

Mr. *W. C. Johnson* said, he was free to confess, that his intention, when he rose, was not to make an argument; but when he was called to account for the opinions he entertained, and that, too, by a member who had first alluded to the postmaster in terms so ambiguous, and leaving room for so strong an inference against the integrity of that officer, that his friends had thought an explanation necessary, when that same honorable gentleman had had the spirit to come forward and explain away his own doubtful expressions, and at the same moment to charge upon himself a want of spirit in the course he had adopted, he (Mr. J.) could only tell that gentleman, that his rule of thinking and acting was not that which the honorable member laid down for his guidance. Of one thing that gentleman might be certain; if he (Mr. J.) had made a charge against another man, he had spirit enough to stand to it, let the consequences be what they might.

Mr. *Beardsley* said, he had expressly spoke in commendation, and not in detraction, of the spirit which the member from Maryland had evinced.

Mr. *R. M. Johnson*, of Kentucky, called for order.

Mr. *W. C. Johnson*: am I out of order? Will the honorable member take down my remarks?

The *chair*: the gentleman from Maryland will take his seat.

Mr. *W. C. Johnson*: am I not entitled to the floor? Have I not a right to reply to remarks which have been applied to me?

The *chair* said, the gentleman certainly had a right to reply; but the debate had taken a wider range than was proper, and gentlemen must limit their remarks.

There were some further calls to order, but the chair decided that reply was admissible, and

Mr. *W. C. Johnson* proceeded: If there were gentlemen in this hall who had not a becoming sense of their own dignity, nor of the dignity of this house, all that he could say was, that he should not fail, on all occasions, to do justice to himself, and to his own views of propriety.

He would remark, in reply to the member from New York, who had first charged impropriety on the postmaster, and who had since found it convenient to retract his observations—who had first come out with a charge, and then with a panegyric,

that he (Mr. J.) did not possess that duplicity of character—that supple attribute of mind—that non-committal feeling which could induce him first to charge a man with wrong, and then to become his evident eulogist.

The objections which he (Mr. J.) had raised were not predicated alone on the vote of the senate, or on the item of extra allowances; but they were founded, hypothetically, upon the whole course of the department—the knowledge of the evil being in the possession of the postmaster, and he not correcting the evil, he (Mr. J.) believed him to be culpable.

The same remarks would apply to Mr. Brown—the reverend Mr. Brown, as he was commonly designated—and who had some intimate friends in the members of the house. He (Mr. J.) might be censured, he might be called to order as he had been—but he would say, there was no gentleman in this house who could rise and say, that the affairs of the post office, for the last three years, had been conducted with propriety, honor or honesty. Were members to be muzzled? Were they to have padlocks put upon their mouths, when these facts were laid before the whole American people, and when all parts of the nation had come to a solemn conclusion that delinquency and corruption existed? Was he not to dare to speak his opinions in this hall, simply because the ghost of some murdered man should rise before him and bid him be silent? From his youth upwards he had been accustomed to express his honest opinions at all hazards. He was not one of those political weathercocks that were veered by the popular breeze, in whatever direction it might blow, or who felt called upon to hitch himself to the car of any one who might beckon him. If his best and dearest friend had acted as the postmaster had acted, he would have shaken him off as a viper, whose very touch brought pollution and death.

Mr. *Beardsley* said, he did not exactly understand the drift of the honorable member's censures, nor could he precisely tell whether they were intended personally or otherwise. In regard to the gentleman's observations as to his spirit, it was due both to himself and to that gentleman to say, that he (Mr. B.) intended no reflection of that kind; and even if he had, the repeated assurances which the honorable gentleman had given that he did possess spirit, would have been sufficient to satisfy every reasonable mind that such must be the fact. But he did not intend to make the reference which had been alluded to; on the contrary, he expressly stated that he admired the spirit of frankness with which the gentleman had expressed his opinions. So much for that.

Nor had he called in question the honesty of the honorable member's opinions. That gentleman had a right to his opinions; and it was immaterial to him what opinions another individual might hold, so long as they did not interfere with the free exercise of his own.

Nor had he charged versatility upon the honorable member; he had made no such issue between them; the gentleman had made it for himself. He (Mr. B.) intended simply to assert, what he had a right to assert, that the grounds upon which the gentleman stated he had inferred corruption were not tenable. The gentleman ought not to be astonished, that the opinions he expressed here should meet with a response. He appeared to take it out of kind, that he (Mr. B.) should have replied at all to his objections. He (Mr. B.) had replied, because he felt that he ought to do so, and if the honorable member thought he was wrong, he could settle the matter in any way which he thought proper. There was no necessity for the gentleman to indulge the remarks which, it appeared, he thought due to himself and the occasion. He (Mr. B.) had merely differed upon inferences to be drawn from facts, and he had expressed his opinions. The honorable member might have reserved his observations until a proper occasion.

He (Mr. B.) repeated that the postmaster general had been liberal to a fault, and almost beyond a fault. Such he believed to be his character. Gentlemen seemed to have inferred that the remark was intended to point to a criminal design. Let the house judge whether it did or not. If it did, then he (Mr. B.) knew not the meaning or the force of language.

Mr. *Lytle* regretted the course which the debate had taken, and he rose, not to enter into debate, but simply to remark, as he had done when his sentiments were elicited on a former occasion, that the gentleman at the head of the post office department was as pure, as just and as incorrupt a man as ever breathed the breath of life—not only incorrupt as a man, but incorruptible. His official concerns were another thing; and he (Mr. L.) conceived that no assault had this evening been made upon the personal character of that officer. On the contrary, he had understood from the gentleman from Maryland, who had stated that he was not personally acquainted with the postmaster, and who had since said, that the charges were made hypothetically—that the observations applied to the official character. This was scarcely the legitimate arena in which an investigation of this description should be instituted; it was not the time; it would be unfair, and he was sure such an intention was not in conformity with the general views and the spirit of the gentleman from Maryland, to put the postmaster on his trial now. That honorable member had charged mal-feasance hypothetically; when the proper time came the charge could be examined. If he meant to say as he (Mr. L.) had not at all understood him to say, that the integrity of the postmaster was impeached; there was no better man than the postmaster to sustain his own honor, and his own reputation. He wanted no champion here; for, notwithstanding his weakness and disease, he had spirit enough left to defend himself; that was a task he would not desire to impose on any of his friends. But he (Mr. L.) did not believe that the member from Maryland intended to make so serious and grievous a charge. He would not believe it of any member on this floor.

Mr. *W. C. Johnson* said, he wished it to be understood that his remarks were intended to apply officially alone, to the conduct of the postmaster general. He had expressly stated, that he knew nothing of him personally. So far as he had heard the private character of that individual spoken of, it had been without reproach. But if he had intended to make such a charge, he hoped he should not have been so low spirited as to bring it forward here, and to take shelter from his opinions under the protection of this legislative hall.

Mr. *Lytle* said, he had no doubt from the first that such was the meaning of the member from Maryland. He would now move that the committee rise, report progress, and ask leave to sit again; but, on request, he withdrew the motion;

When Mr. *Polk* renewed it.

Tellers were appointed, and the members having passed through them once,

The tellers asked for a second count, declaring that they could not tell how the members stood.

A second count was accordingly ordered, and obtained.

But the tellers asked a third count, the second not being satisfactory.

The third count was taken and the motion to rise stood—ayes 64, noes 56, [no quorum].

The committee rose and reported, whereupon,

Mr. *Jarvis* desired to know whether less than a quorum could ask leave to sit again.

The *speaker* said, that the proper mode would be, for the house to resolve itself back again into committee, and retake the vote.

Mr. *Polk* moved an adjournment; he was satisfied that the house could arrive at no gratifying result this evening.

The *speaker* said he was referring to the rules on the question of order.

But the motion for adjournment, in the face of the point of order, became reiterated and loud.

So the question was taken and carried; and at 10 o'clock, the house adjourned.

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From the Courier and Enquirer.

Washington, March 6, 1835.

There have been so many rumors within the last ten days, on the subject of a meeting that it was said would take place between the hon. *William Cost Johnson*, and lieut. *Barry*, of the United States army, that I have taken some pains to inquire into the facts. I always refer to these subjects with regret, but, believing, as I do, that misrepresentations have, in this case, been put in circulation, I will detail the circumstances, as I have reason to suppose, correctly. I know the public curiosity on such occasions, and, perhaps, the sooner it is gratified the better.

It will be recollected, that about ten days ago, Mr. Johnson, in debating the post office question, spoke in strong terms of reprobation of the manner in which that department had been conducted. Among other remarks, he said—"*they are corrupt from the head to the heel;*" or words to that effect.

The next day he received a letter from major Barry, the postmaster general, inquiring whether, in his remarks, he intended to impeach his integrity or his honor as a private gentleman. Mr. Johnson replied that he did not admit the right of a public officer to demand of him an explanation of words used in debate, in reference to that officer. That with his (Mr. Barry's) private character, he had nothing to do; but that he had said, in speaking of the post office department, that "they were corrupt from the head to the heel:" that he should stand by it, and that he would take nothing back. To this he received no answer.

On the 3d of March, he received by the hands of Mr. Peyton, of Tennessee, a challenge dated the 27th February, from lieut. Barry of the army. The reason assigned, was the language used in reference to his father, for which he demanded satisfaction, and that his friend, Mr. Peyton, would make the necessary arrangements with Mr. Johnson's friend for the meeting.

Mr. Johnson replied that he did not admit the right to make the demand, &c. &c. but especially when exercised by a third person. He would, however, waive every objection of the kind, and give lieut. Barry the satisfaction he demanded. He then informed Mr. Peyton that he insisted on *the meeting that day, by three o'clock in the afternoon.*

Shortly after Mr. Peyton requested longer time. During the interview, he asked Mr. Johnson whether he would not disavow having made any reflections on the private character of major Barry? He replied that he would disavow nothing; that the meeting must take place that day, or the challenge be withdrawn. Mr. Peyton suggested referring the matter to honorable men. Mr. Johnson said that satisfaction had been demanded from him; that he had waived his official privileges for the purpose of yielding that satisfaction, and that while the challenge was not withdrawn, he should do nothing to change the responsibility.

Mr. Peyton having consulted col. Richard M. Johnson and Mr. Wise of Virginia, these gentlemen drew up a brief statement, concluding with a disavowal that he (Cost Johnson) had not intended to impeach the private honor of the postmaster general,

which Mr. Peyton brought to Cost Johnson and requested him to sign. He replied he would sign nothing. That there were three points he would not concede.

He would not go behind his letter to the postmaster general.

He would retract nothing said in debate.

The challenge must be withdrawn, or the meeting take place that day.

Colonel R. M. Johnson and Mr. Wise then drew up and signed a statement, that they had heard the remarks of the hon. Wm. Cost Johnson in debate, and that they did not think any thing fell from him, impeaching the private character of the postmaster general. This was satisfactory to lieutenant Barry, and the matter was thus fortunately terminated.

THE SPY IN WASHINGTON.

[We learn that the preceding is substantially true. Mr. *Johnson* signed no paper—took back nothing that he had said—made no sort of concession; and, we understand was induced to this course, not only for the reason that the official conduct of the postmaster general was subject to his remark, but on account of the *manner* in which he [the P. M. G.] had been defended in the house, as though it were to incur an awful responsibility in any one to question that conduct. The *lieutenant* acted unadvisedly, and placed himself in an awkward predicament.]

THE LAST NIGHT IN THE SENATE.

Debate on the three millions.

IN SENATE—TUESDAY EVENING, MARCH 3.

The senate proceeded to consider the message from the house of representatives, proposing to amend one of the senate's amendments to the annual fortification appropriation bill, by adding thereto the following:

"SEC. 2. *And be it further enacted*, That the sum of three millions of dollars be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to be expended, in whole or in part, under the direction of the president of the United States, for the military and naval service, including fortifications and ordnance, and increase of the navy: provided, such expenditures shall be rendered necessary for the defence of the country prior to the next meeting of congress."

Mr. *Webster*, in a few remarks, which our reporter was prevented from reporting, expressed his hope that the senate would disagree at once to this amendment.

Mr. *Calhoun* said, that the amount of the appropriation asked for was extremely large, and, what was most extraordinary, it was to be made on the supposition that this country was to be involved in a war with France, and either without previous declaration or with a declaration to be issued by the executive, without first calling congress together.

Mr. *Leigh* could not forbear expressing the astonishment he felt at the course which the house of representatives had thought proper to pursue, in regard to this appropriation. For his own part, he was free to confess, that he would as soon vote to give the chief magistrate of this republic unlimited power at once, as vote to place at his entire disposal and discretion such an enormous sum of money as was contemplated by this amendment. He had not met with a single human being who wished to convert our free form of government into an absolute monarchy, nor did he believe that any man in this country desired such a change. Yet, here was a proposition which went to establish a military monarchy; it was, in fact, in the very form of a proposition of that sort. They might almost as well say, that the president should be made consul for life, or emperor of the American people. It was, indeed, a most remarkable proposition, and one which he never expected to hear.

Mr. *Wright* said, he did not feel that great alarm which the senator from Virginia appeared to feel. They all knew very well why the provision, so much complained of by some senators, was inserted in the bill. It was because they were about to adjourn when there was a peculiar crisis in our foreign relations, and it was too late to have gone into the detail of legislation. For himself, he could say—whatever others might think—that he did not believe that a dollar of the money which was now proposed to be appropriated, would be expended; though no one knew what might happen. They had been told by the gentleman from Massachusetts that this country was not to be brought into a war until congress should have been first convened. Now, nothing as to that was implied in this proposition; it was merely putting in the power of the president, in any contingency that might happen, the means to secure the safety of the country until the assembling of congress.

Mr. W. then asked the yeas and nays, which were ordered.

Mr. *Linn* said, he should vote for this appropriation, although it was an extraordinary one, because he thought it necessary under the present aspect of affairs. He could not believe that this chief magistrate, or any other who might preside over the destinies of this people, would make a wrong or improper application of their funds.

Mr. *Leigh* did not vote against the appropriation from any fear as to the use which might be made of the money; but he voted against it on the ground that it was at war with the doctrine of constitutional liberty.

Mr. *Southard* said, he must certainly concur with the gentleman from Virginia in astonishment at this extraordinary provision, and at the manner in which the appropriation was defended by the senator from New York. What, he (Mr. S.) would ask, was the character of this appropriation? It amounted to the enormous sum of three millions of dollars, and was to be put into the hands of the president, to be expended by him at his own good will and pleasure. It was without limitation or restriction—without specification of objects—or any designation of purpose whatever. To be sure there was added to the provision an idea of this sort, that the money should not be expended unless the public necessity should call for it. Who was to judge of the public necessity for the expenditure of this money? The executive alone. Had we arrived at that period in our history when the executive was to determine when or how the public money was to be expended in cases of danger or otherwise? Had we progressed to that period when the congress of the United States, the guardians of the people's treasure, were not to determine as to that matter, but the power was to rest in the hands of the chief magistrate only? There was, however, in regard to this subject, a higher question to be decided. The professed object of the appropriation was to defend the country in case of war. And what was the power put into the hands of the executive by that very appropriation? Why it was the power of making war. Congress told him to increase the navy, the army, and the fortifications, if he pleased. He (Mr. S.) would say, give him that power, and there would remain no obstacle to prevent him from plunging this country into a war. He was to be guided alone by what he deemed right or wrong! He (Mr. S.) had never heard of such a proposition as this before. He confessed that he could hardly speak of it with respect. Here was a proposition, made by the immediate representatives of the people, to place in the hands of one man, without control, three millions of dollars, and who, consequently, would have the power of making peace or war. Supposing that the appropriation were made, did it require any thing like ingenuity on the part of any man to perceive, that, if the president wanted a war with France, he could readily bring about such an event? Thus the highest attribute of legislation—an attribute conferred by the constitution on congress alone—the power of making war—is here placed in the hands of the president alone. Yet the gentlemen from New York and Missouri were ready to vote the money because they supposed it would be properly expended!

There never had lived, nor did live, in this or any other country, the man to whom he (Mr. S.) would confide a question of that description. It was one which the whole American people, by their representatives, were to decide. Whatever might be the vote which other senators intended to give, on this occasion, he could not think of vesting such an enormous power in the president. The senator from New York had said that the money would not be expended by the president. What proof, Mr. S. desired to know, had the gentleman that it would not be expended? By the proposition itself, the president was told he might expend the appropriation if he thought proper. The other senator (Mr. *Linn*) had intimated that it would be wisely expended. Now what proof had the senate that that would be the case? There was none—save their own belief in the infallibility, faith, and purity of one man. And to night the senate were called upon to give a power which he, for one, was free to confess he would not grant even to a Washington, or any other man that ever lived. Nay, he would not hesitate one moment in denying to Washington himself the power. No proposition could be more directly opposed to all the principles of the constitution and of the government under which they lived than the one before the senate. He therefore trusted that there would be no hesitation in rejecting it.

Mr. *Wright* observed that it was not his intention to say any thing which would lead to a protracted debate, nor was it his purpose to excite the feelings of any gentleman. There were two modes of debating a proposition. The first was, by poetic license: and the other was, by debating a proposition as it is. The hon. senator from New Jersey had told the senate, in his usual impassioned manner, that this was an appropriation of three millions, without specification or object. He had no answer to make to the assertion, but what was derived from hearing the amendment read by the secretary of the senate. The senator, in his precipitancy, remarked that he (Mr. *Wright*) had said that the money was not to be expended. The gentleman was mistaken, for he (Mr. W.) said no such thing, but observed that he believed it would not be called for—though no man could tell what might be the issue of our relations with France. And they all knew what this appropriation was to be made for.

Mr. *Clay* rose and said, that the proposition was to appropriate three millions of dollars for the general purpose of increasing the naval and military service of the country, without any specification whatever of objects.

In principle, therefore, the hon. gentleman from New York must admit it was the same—whether the amount to be appropriated was three millions, fifty, or a hundred millions. Now, according to the constitution of the United States, congress possessed the power to raise armies and create a navy; and under the practice of the government, from the commencement of it down to this time, in no instance had an army been raised without a specification of the amount of it, the rank and file of which it should consist, the officers who should command, &c. And, he believed, that, since the origin of this government, there had been no increase or augmentation of the navy, without a specification of the number and size of the ships that should be in commission, with every other particular. Now, for what objects was this appropriation intended? It was to be applied to the increase of the naval and military service, including fortifications. In other words, to authorise the presi-

ment to increase the army, to increase the navy, to make new fortifications not authorised by careful surveys, and sanctioned by the estimates agreed to by congress afterwards.

He appealed to the hon. senator from New York and Missouri, as to whether that was a case like the ordinary cases, where the president was directed to expend money for defined objects, for a specified and approved purpose, as in the erection of new, or the completion of existing fortifications.

No, this appropriation was undefined and unlimited as to the manner in which it was to be expended. And he concurred entirely in the sentiment which had been expressed by the senator from Virginia, that, when he should be prepared to vote for an appropriation of this character, he should be prepared to surrender every power they now enjoyed under this government to the president. Mr. C. would add, that this appropriation was to be made without any recommendation as to its necessity, in a certain exigency, to prepare for war; and made, too, without the slightest intimation or prospect of a war, despite the official documents lately laid before the senate, assuring them of the continuance of peace. If they were to have a war with a foreign power, it would be a war of our own making—a war to be declared by this country.

If France had intended to make war, that intention would have been manifested just after the receipt of the president's message. But she did not do it; she waited for further action on the part of this government; she went on to consider the bill of indemnity, and, according to the latest intelligence, the 26th of last month, the bill was still under consideration. Mr. C. deprecated a preparation for war, or which might lead to war, at this time, as calculated to keep up the excitement abroad, and prevent an early settlement of our claims. This proposition partook much of the character of the president's message—that unfortunate message, he might say, for it had produced a good deal of unpleasantness, and put in jeopardy the peace of the country. He entertained the opinion that money ought not to be taken out of the public treasury for any such purposes, and that congress were bound to wait until the executive recommended a certain course before they voted millions away as was now proposed to be done. He (Mr. C.) hoped the amendment would be rejected.

Mr. *Buchanan** said he was astonished at the remarks which had been made by gentlemen on the subject of this appropriation. The most fearful apprehensions had been expressed, the destruction of our liberties had been predicted, if we should grant to the president 3,000,000 of dollars to defend the country in case it should become necessary to expend it for that purpose, before the next meeting of congress. For his part, he could realise no such dangers.

Gentlemen have said, and said truly, that the constitution of the United States has conferred upon congress and congress alone, the power of declaring war. When they go further, and state that this appropriation will enable the executive to make war upon France, without the consent of congress, they are, in my humble judgment, entirely mistaken.

Sir, said Mr. B. what is the true nature, and what are the legitimate objects of this appropriation? Do we not know that, although the president cannot make offensive war against France, France may make war upon us; and that we may thus be involved in hostilities in spite of ourselves, before the next meeting of congress? If the chamber of deputies should determine to violate the treaty, and to fix an enduring stigma upon the public faith of the French nation, is it certain that France may not proceed a step further, and strike the first blow? Mr. Livingston himself, in the correspondence which had been communicated to us by the president, has expressed serious apprehensions that this may be the result. France may consider war, eventually, to be inevitable; she may, and I trust does, believe that we have determined not to submit patiently to her violation of a solemn treaty, and thus abandon the just claims of our injured citizens; and, taking advantage of our unprepared condition, she may commence hostilities herself. The first blow is often half the battle between nations as well as individuals. Have we any security that such will not be her conduct? Have we any reason to believe she will wait until we are ready? Her past history forbids us to indulge too securely in any such belief. If she should adopt this course, in what a fearful condition shall we place the country, if we adjourn without making this appropriation! The senate will observe that not a dollar of this money can be drawn from the treasury, unless it shall become necessary for the defence of the country prior to the next meeting of congress.

Another circumstance which renders this appropriation indispensable is, that congress cannot possibly be convened by the president much before their usual time of meeting. There are, I believe, nine states in this union who have not yet elected their representatives to the next congress. Some of these elections will take place in April, and others not till August and even October. We have now arrived almost at the last hour of our political existence; and shall we leave the country wholly defenceless until the meeting of the next congress? Gentlemen have warned us of the fearful responsibility which we should incur in making this appropriation. Sir, (said Mr. B.) I warn them that the responsibility will be still more dreadful should we refuse it. In that event, what will be our condition should we be attacked by France? Our sea coast from Georgia to Maine will be exposed to the incursions of the enemy—our cities may be plundered and burnt—the national character may be disgraced; and all this, whilst we have an overflowing treasury. When I view the consequences which may possibly flow from our refusal to make this grant, I repeat that the responsibility of withholding it may become truly dreadful. No portion of it shall rest upon my shoulders.

Our constitutional right to appropriate this money is unquestionable. Whilst I express this opinion, I am sorry that the present appropriation is not more specific in its objects. Appropriation bills ought to be passed in such a manner as to leave as little to executive discretion as possible. The purposes for which the money is to be applied ought to be clearly and distinctly stated. If there were time to do it, the bill might be improved in this respect. But, sir, this is an extraordinary crisis, and demands prompt action. We must now take it as it is, or not take it at all. There is no time left to make the changes which might be desired.

Gentlemen have contended that, under this appropriation, the president would be authorised to increase the army, and appoint as many new officers to command it as he thought proper. But this is not the case. He could not, under any just construction of this bill, raise a single new company, or appoint a single officer, not authorised by existing laws. No such power is conferred upon him by its terms. It will authorise him to expend three millions of the public money, should the contingency happen which it contemplates, for putting the vessels of war, now in ordinary, in a condition for actual service, and for completing those, the building of which has already been authorised by congress. The money may also be applied to the completion and repair of our fortifications, and in placing them in a state of security and defence against any attack. Should it become necessary to call out the militia, under existing laws, to garrison these fortifications, or defend our coast, this money may also be expended for that purpose. There is nothing in the language of the appropriation to justify the construction that the president might raise new armies, and create new officers to command them.

It is my own impression that there will be no necessity for expending any portion of this money. If there should be, however, and it is the part of wisdom to provide against such a contingency, let the responsibility rest upon those who refuse the appropriation. The country will be left defenceless, and the very knowledge of the circumstance may invite an attack.

Mr. *Calhoun* remarked that the argument of the senator from Pennsylvania rested on the assumption that we might be suddenly involved in a war with France. Now, that was an event which he (Mr. C.) did not contemplate, and he should consider it as extraordinary and unlooked for as that this capital should be swallowed up by an earthquake before congress again met in this city, and that, therefore, an appropriation was requisite! France declare war against us! What rational motive could she have for doing so? France declare war! No, no. France had no cause or motive for declaring war against us. It was for this country to declare war against France, if she did not fulfil her promises. He considered this amendment, if passed, as amounting almost to a declaration of war. Gentlemen expressed confidence that this great power would not be abused by the president; that he would not expend the money, or would expend it wisely. Confidence was not a republican virtue, nor was discretion a republican principle; and it was only necessary to glance at the enormous expenditures of this government to be convinced of that fact. Let gentlemen look at and consider for a moment what was the present condition of the Indian department, the land office and the post-office department, and they must see that it was idle to talk about there being no danger in reposing confidence in men. He would not trust any man with such an enormous power as was now proposed to be vested in the chief magistrate by this amendment. He (Mr. C.) would speak boldly. There was a war party in this as well as every other country—a party deeply interested in the existence of war—a party who were engaged in the business of jobbing, and contracting, and of party making. He knew the force and magnitude of the corps who lived at the expense of the federal government. It was already very enormous and a war would double its numbers. He had said at the opening of this session that they would increase, and he believed that time would bear him out in his prediction. All that he had seen, confirmed him in that belief. And, in regard to this appropriation, it would give a vast control to the executive, for it was to be applied according to his will and pleasure, and he might involve the country in a war. Mr. C. was really surprised that the proposition of the house should have received any sanction in that senate, for it was a most extraordinary one, in whatever light it might be viewed. How happened it that such an amendment should have been introduced into the bill? It was not by the recommendation of the executive, it would appear, and yet gentlemen had thought proper to rise in their places and vindicate him. Congress were bound to have the opinion of the president as to whether or not he desired means to be placed at his disposal to provide for a certain contingency. Yet, here was a proposition to give him three millions, without being asked to do so. We certainly lived in extraordinary times, and we were going step by step (and this was one of them) on the high road to despotism. He was altogether against the creation of this dictatorial power, and concurred most fully in the remark of the senator from Virginia, that he would as soon confer a dictatorship as give such a power as was now proposed, to the executive, let him be who he might.

*Copied from the Globe.

Mr. *Preston* expressed his surprise at the extraordinary amendment which had been made to the bill by the house of representatives, at that late hour of the session, when the waning sands of their political existence, as a body, were nearly run out. They were called upon to confer a most tremendous power, by placing at the disposal of the chief magistrate of the union the sum of three millions of dollars! He was already appointed commander of the army and navy of the United States, and now the senate was asked to confer upon him the power to raise armies and create navies, and that, too, on the very last night of the session, almost without time for a moment's deliberation. They were in fact and in truth to give him power over the purse and the sword, and consequently over the liberties of the country. He meant to express no distrust in the chief magistrate; but, he would ask, was it proper that any congress should unconstitutionalize itself by surrendering the powers committed to their hands? Yes, here was a most extraordinary proposition presented for the consideration of the senate, at the very heel of the session, when there was not time to debate or consider the subject. He could not vote for any proposition of the kind. When the time should arrive which would render it necessary for congress to act for the purpose of putting the country in a state of defence, and building ships, that we might send our gallant flag into every sea, he would be found as ready as any senator on that floor to carry into execution every thing that would tend to the honor and advantage of his country. The senator from Pennsylvania had expressed his unwillingness to assume the responsibility of leaving the country without making the appropriation asked for by the other house, although the president had not sent any message on the subject to congress. He (Mr. P.) confessed that he was oppressed with anxiety to see such an appropriation as that demanded. Three millions of dollars to be thus voted away! He knew well, as had been said, that there was a war party in this and every country. He felt it so. We had once gone to war, and were not disgraced: on the contrary, we came out victoriously, and were then respected by our ancient foes and ancient allies. We were now differently situated, and it was not politic to plunge the country into a war. The gentleman (Mr. *Buchanan*) had said that accidents might occur before the meeting of congress. Did the senator mean to say that France might declare war against the United States? Congress must not legislate for accidents, but probabilities. And who could make war between the two countries? None but congress. For what was France going to war with us? To compel us to receive the payment of that which it owes this government. If it was not that, then he was at a loss to discover what conceivable purpose France could have in adopting that course. Mr. P. concluded by saying that, unless some more cogent reasons were adduced, than what he had heard, for making this appropriation, he should most assuredly vote against it.

Mr. *Webster* thought it impossible that the senate could hesitate about the rejection of this most extraordinary and objectionable proposition; and he hoped the decision would be made without further delay. It was now 9 o'clock at night, and further discussion could have no effect but to defeat other important business. He therefore intreated the senate to desist from debate and proceed to vote.

Mr. *Cuthbert* said he should be as glad to vote as any gentleman on the majority side of the house. He had heard harangues from that quarter, some of which were most certainly out of place. When he heard it insinuated that, because the executive was to have means placed at his disposal in order to increase the army, and take such other measures as he might deem necessary for the defence of the country, he might turn round and employ them to destroy the liberties of the people, he (Mr. C.) would put it to honorable senators whether such language was not extravagant in the extreme? whether the sentiments they had expressed were not rather the illusions of a heated brain, than of a cool and well considered judgment? He contended that this country ought to put itself in a state of defence, in order to shew France that we were prepared to enforce the fulfilment of the treaty, if necessary, by an appeal to arms: that we were determined to maintain our rights, as we had asserted we would do. Did gentlemen shrink from doing that which they themselves had told the senate was necessary to be carried into effect when a certain period should have arrived? If we meant to maintain our rights, we must do so, if absolutely necessary, by our arms and our blood. France dreads what we might do, and under that dread she would increase her strength; and, perhaps, thinking it brilliant and splendid, might take it into her head to give us the first and decisive stroke. Did not every gentleman's knowledge of history teach him that such an event might take place? He appealed to senators on the other side, whether there were not innumerable examples of the kind to be found in the history of naval warfare, where a nation, in first possession of the ocean, was the first to strike a decisive blow at its antagonist? This would generally be found to be the case.

Now, he would ask, what had been done by the house of representatives? What did it seek by its amendment? Why, merely to provide the proper means that the country should be put in a state of defence, in the possibility that we might be attacked by that power with whom we had had some differences. What gentleman was there on that floor who would not reproach himself, (supposing the appropriation not to be made), and such an event were to happen, as he (Mr. C.) had imagined? Who would not regret that the navy had not been increased, when they saw our coasts blockaded—our waters covered by the enemy's ships, and our beautiful cities battered down? What, then, was there so extraordinary in the terms of the amendment? For his own part he thought it highly proper that the appropriation should be made—that the president should have the means necessary to put the country in that state which circumstances required.

Mr. *White* said he wished to assign the reasons that should govern him in his vote on the proposed amendment. There was no appropriation asked for by the president—no message had been received from him on the subject. He (Mr. W.) thought it would have been respectful to the executive had a resolution been submitted for the purpose of ascertaining his opinion, to the end that, under his direction, the country might have been put in a state of defence, without congress thus voting an unrestricted appropriation. He (Mr. W.) conceived there were formidable objections to adopting the course now proposed. He professed to be a supporter of the administration, and was willing to go to a reasonable length; but he found himself compelled to vote against the amendment. He would put it to the advocates of the administration to consider in what a situation they would place the chief magistrate of the nation by making the appropriation, without, in the first place, ascertaining his opinion in regard to it, leaving out of view the necessity or non-necessity of the grant.

If he should think it proper to increase the navy and army, to put the fortifications in repair, &c. under the impression that difficulties were about to ensue between this country and a foreign power, and no such occurrence were to take place, what would be the consequence of having left that discretionary power in his hands? Why gentlemen might turn round and blame him for having acted as he had done, and wish that they had not given him that responsibility. And what, too, might be the consequence when the next congress met, and if peace were to continue? Why they charge him with having wantonly wasted the very funds which the present congress gave him, to use according to his discretion. Now, he (Mr. W.) was unwilling to throw so serious a responsibility upon the president. It was a responsibility which congress alone ought to bear. Having made these observations, which he thought it his duty to make, both in regard to the chief magistrate and to the country, he should resume his seat.

The question was then taken on *disagreeing* to the amendment of the house, and was decided in the affirmative, as follows:

YEAS—Messrs. Bell, Bibb, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Goldsborough, Hendricks, Kent, Knight, Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Swift, Tomlinson, Tyler, Waggaman, Webster, White—29.

NAYS—Messrs. Benton, Black, Brown, Buchanan, Cuthbert, Grundy, Hill, Kane, King, of Alabama, King, of Georgia, Linn, McKean, Morris, Robinson, Ruggles, Shepley, Tallmadge, Tipton, Wright—19.

So the amendment was rejected.

The amendment of the senate to increase the appropriation of $70,000 to $150,000, for repairing Fort Mifflin, which was disagreed to by the house of representatives, was next taken up.

Mr. *Clayton* moved that the senate insist on their amendment; which motion was agreed to, and the bill was then returned to the other house.

On motion of Mr. *Clayton*, the senate proceeded to the consideration of executive business; and spent some time with closed doors.

[When the doors were opened, and the reporters entered the gallery, they found that a message had been received from the house by the senate, while in secret session, announcing that the house *insisted* on its amendment, proposing to place three millions at the disposal of the president. Before it was known that the doors had been opened, it appeared that this message of the house had been taken up; that Mr. *Webster* had moved that the senate *adhere* to its disagreement to the appropriation, and had followed his motion with a speech of uncommon animation and earnestness in its support.* This speech he was just concluding when the reporters re-entered the gallery.]

*The "National Intelligencer" thus describes Mr. *Webster's* speech, delivered on this occasion—

In the debate in the senate on this proposed grant, of which a report is published in the National Intelligencer, the remarks of Mr. *Webster* are not given, owing to their having been made after the senate had been engaged in executive business, and before the reporters had resumed their seats. A correspondent of the Boston Courier, writing from Washington, (who got into the chamber, it appears, before the reporters) thus speaks of these remarks:

"I did not get up to the capitol, in season to hear the main speeches. I arrived in season only to hear the conclusion of Mr. Webster's reply, which was grand and soul stirring, and realized all the descriptions of the eloquence of the mighty masters of antiquity. He rose to call upon the senate, in consideration of the hour of the evening, and the magnitude of the bill, to come at once to the vote. You must consider it as now drawing near midnight, and the close of this momentous session. All without is dark and silent—within the senate chamber, fatigue, exhaustion, feverish excitement prevail. Hear Mr. Webster, as nearly as I can repeat his words—"Yes, sir, this is

Mr. *King*,* of Alabama said, he very much regretted that the ator from Massachusetts should have made such a motion; had seldom or never been resorted to until other and more tle means had failed to produce a unity of action between two houses. At this stage of the proceeding it would be sidered, and justly, harsh in its character; and he had no ubt, if sanctioned by the senate, would greatly exasperate the er house, and probably endanger the passage of the bill altoher. Are gentlemen, said Mr. K. prepared for this? Will ly, at this particular juncture, in the present condition of ngs, take upon themselves such a fearful responsibility as the ection of this bill might involve? For himself, if your forts are be left unarmed, your ships unrepaired and out of commission, d your whole sea coast exposed without defences of any kind, responsibility should not rest upon his shoulders. It is as ll, said Mr. K. to speak plainly on this subject. Our post n with regard to France was known to all who heard him; to of such a character as would not, in his opinion, justify pru at men, men who look to the preservation of the rights and honor of the nation, in withholding the means, the most ple means, to maintain those rights and preserve unimpaired it honor.

Mr. K. said, while he was free to confess that the proposed propriation was not in its terms altogether as specific as he uld have wished it, he could not view it in the light which d, or seemed to have, so much alarmed the senator from ssachusetts, and others who had spoken on the subject. We told, said Mr. K. that the adoption of the amendment made the house will prostrate the fortress of the constitution, and ry under its ruins the liberties of the people. He had too long en accustomed to the course of debate here, particularly in ses of high party excitement, to pay much attention to bold sertion or violent denunciation. In what, he asked, does it late the constitution? does it give to the president the power declaring war? You have been told, and told truly, by my end from Pennsylvania, (Mr. *Buchanan*), that this power ne belongs to Congress; nor does this bill in the slightest dee impair it. Does it authorise the raising of armies? No, not e man can be enlisted beyond the number required to fill up ranks of your little army; and whether you pass this amendent or not, that power is already possessed, under existing ws. Is it, said Mr. K. even unprecedented and unusual? A tle attention to the history of our government must satisfy all ho heard him, that it is neither the one nor the other.

During the whole period of the administrations of gen. Washgton and the elder Adams, all appropriations were general, plying a gross sum for the expenditure of the different departents of the government, under the direction of the president; d it was not till Mr. Jefferson came into office, that, at his commendation, specific appropriations were adopted. Was e constitution violated, broken down and destroyed, under e administration of the father of his country? Or did the for es to which the senator from Massachusetts, on this occasion ings so fondly, tumble into ruin, when millions were placed the hands of Mr. Jefferson himself, to be disposed of for a signated object, but, in every thing else, subject to his unlited discretion? No, said Mr. K. our liberties remained unmired; and, he trusted in God, would so remain, for centuries t to come. He would not urge *his* confidence in the distinished individual at the head of the government, as a reason hy this amendment should pass; he was in favor of limiting ecutive discretion as far as practicable; but circumstances ay present themselves—causes may exist—which would place out of the power of congress promptly to meet the emergency. whom then should they look? Surely to the head of the go rnment; to the man selected by the people to guard their rights d protect their interests. He put it to senators to say, hether, in a possible contingency, which all would understand, r forts should not be armed; our ships put in commission? one will venture to gainsay it. Yet the extent to which such nament should be carried, must, from the very necessity of e case, be left to the sound discretion of the president. From the position he occupies, no one can be so competent to form a correct judgment, and he could not, if he would, apply the money to other objects than the defences of the country. Mr. K. said he would not, at this last moment of the session, when time was so very precious, further detain the senate, than to express his deep apprehension, his alarm, lest this most important bill should be lost by this conflict between the two houses. He would beg of senators to reflect on the disastrous consequences which might ensue. He would again entreat the senator from Massachusetts to withdraw his motion, and ask a conference, and thus learn some reasonable ground for hope of ultimate agreement on this most important subject.

Mr. *Poindexter* said he should vote to adhere. He was not for temporizing with such a proposition as that under consideration. For five years had he stood on the floor of that senate to defend, to the best of his poor ability and judgment, that glorious constitution which had been handed down to them by the wise and enlightened patriots who framed it. And he thanked God that the last vote he should, perhaps, ever give here, would be recorded in defence of the charter of our liberties—the constitution of the United States. Ever since he had had the honor of a seat in that senate, he had seen power progressively increasing, marching on, step by step, approximating to supreme authority in one head. He had seen in the practical operations of this government—though not positively claimed in terms—the whole of its legislative power attempted to be wrested from the hands of congress, and exercised by the chief executive under the plea of arresting loose legislation. He had seen the whole of the appointing power taken from the senate, which was intended by the framers of the constitution to be a check on the executive department. He had seen solemn charters violated without trial by jury; and on that floor, and elsewhere, had known such violations to be vindicated. He had, in short, seen every thing calculated to astonish him—every thing, except the proposition then before the senate, which was to clothe the president with power over the liberties of the nation, to give him three millions of dollars to do what he pleased with. Who had ever heard of such a monstrous proposition? It was without precedent, was never before heard of, and he (Mr. P.) would venture to say, that, within six months, the chief magistrate could plunge this country into a state of hostility with France. That he *would* do so, he (Mr. P.) did not know, for he could not say what his action would be; but most unquestionably he would have the *power* to bring upon the country such a calamity, if this appropriation were to pass the senate. He (Mr. P.) would, therefore, protest against any proposition which would have the effect of separating the connexion existing between the several powers of this government. Whenever the barriers which divided the legislative from the executive powers of this government were broken down, that instant we might *call* our system what we pleased, for it mattered not, but it would cease to be a republic. And that very section sent to the senate capped the climax of all the strides he had witnessed there towards the consummation of all power in the hands of one man. He should hope the chief magistrate would spurn such a proposition. If he did not, it would be to accept the crown of the Cæsars, and be the instrument of prostrating the liberties of his country. He (Mr. P.) could not believe that he held such sentiments, and would be willing to prostrate the fair fame he had acquired in the field of battle—that fame which history accorded to him—and consent to be the cause of introducing into our system what was inconsistent with the idea entertained in regard to free government.

Mr. P. said he himself had experienced more than an ordinary share of the persecutions of power since he had had the honor of a seat here. Every thing had been brought to bear on him, in order to create an ill feeling between him and his constituents. All the means which power possessed had been put into action to effect that object. Yes, he had experienced all that. Towards the members of the senate, however, on both sides, he entertained the kindest feelings and greatest regard. But in respect to those friends with whom he had been accustomed to act in defending the constitution and laws of the country—towards them, he confessed he could not find language to express what he felt. He would, nevertheless, say to those honorable friends, on the eve now of separating from them, "Go on! boldly pursue your noble and righteous cause: do not, because of a few reverses, suffer yourselves to be disheartened; for the people of this country, according to my poor conceptions, will awaken to the deception of a popular name and popular action, and listen to your warnings."

Mr. *Leigh* said he was really at a loss to perceive how this indefinite appropriation of millions was to be justified by any thing that had been done during the administration of Mr. Jefferson. Would the senator from Alabama (Mr. *King*) be good enough to hint to him the occasion on which millions had been placed by congress at the uncontrolled disposal of president Jefferson?

Mr. *King* explained that a very large appropriation was made during the administration of Mr. Jefferson, to enable him to take such measures as he might deem necessary in order to secure Florida; and secret agents were appointed to carry that object into effect.

Mr. *Leigh* resumed: He remembered very well that there was made, in secret session, an appropriation of two millions of dollars in order to enable Mr. Jefferson to open a negotiation for the purchase of Florida; and he, instead of making the purchase at that time, negotiated the purchase of Louisiana, with-

great question. Brought upon us suddenly; only within the st half hour, and pressed upon us under the assertion of imnding public danger, under the imposing popularity of a great ilitary and political leader, and summoning to its assistance e ebullitions of a hasty and frothy patriotism, it is indeed a eat question. It is the moment of the turn of the controversy tween unlimited trust and discretion on the one side, and the curity of the constitution and the law on the other. As such question, I meet it, embrace it, and, for myself, decide upon Let us come to the vote. Let us know and show what, d who, we are. I am in the American senate. Let us see w this question shall be here decided. I am in that body hich, at this moment, is behind no assembly of men on earth, the confidence and effection of the true lovers of liberty. t, I have on this occasion something of the feeling—would to od I had something of the talent—of the great Roman orator, hen he cried out in the midst of the senate, on a matter involving the safety and liberty of Rome, 'let every man's opinion written on his forehead.'—'*Sit denique in fronte uniuscujus e, quid de republica sentiat!*'

"To the vote then, sir, to the vote, and let us see the roll of ose, who are ready to register their names in favor of this first rect attempt to bestow unlimited political and military pow-!"

[*Copied also from the Globe.]

out employing one single dollar of the money that was thus appropriated. That was the case to which he (Mr. *Leigh*) supposed the gentleman alluded. He would take upon himself to affirm that no instance could be found, either during the administration of Mr. Jefferson or of any other president, of an appropriation having been made which bore the least resemblance to this. But he did not rise for the purpose of making that single remark—his object being to make two others. The first one was, that the argument addressed to that senate, by the senator from Alabama, was precisely, in so many words, the argument that was once addressed to the senate and the people of Rome, as a reason, for the appointment of a dictator, namely: that, in times of excitement and difficulty, it was absolutely necessary that the whole powers of the government should be placed in the hands of *one* man! Give the chief magistrate this appropriation (said Mr. L.) and you establish the office of dictator.

The second remark he had to address to the senator from Alabama, was this: had he apprehended, or did he now apprehend, that absolute power should be vested in one man in consequence of any danger which threatened the country, and lest it should be found unprepared, instead of being ready, to resist all aggression? He (Mr. L.) apprehended that the opinion entertained by the honorable senator was not adopted without due consideration, and after long and deliberate reflection. Why had not the honorable senator, then, proposed certain means of defence, which might have been acted upon according to the discretion of the senate, instead of throwing the whole responsibility, attached to the proposed appropriation, upon the president? If any gentleman had come forward with a proposition that a law should be passed, directing that the country should be armed for its defence, it might have been gravely and deliberately debated, and he (Mr. L.) would have given to the subject that attention and consideration which was due to it. But no such proposition had been made to the senate. Here senators had been unanimously resolving that no legislative measures were necessary; nay, not one human being considered that legislative measures were necessary, in regard to France; and, after the resolution in relation to the matter had passed, not one breath of objection was raised against it. Yet now, on the very last night of the session, was brought forward a proposition to enable the president to arm the nation for its defence; and, to effect that object, there was to be put in his hands the sum of three millions! Yes! three millions to accomplish that object! without limitation, restriction, or any defined purpose of application. Thus, by that very proposition, the liberty and constitution of the country was not only to be voted away, but they were called on to vote it with so much precipitation that it would seem as if the whole government of the land was to be completely and instantly abandoned. Surely a subject of so important a character as this, instead of being so hastily passed upon, ought to undergo the maturest deliberation and discussion.

Did not the gentleman from Alabama well know, did not every gentleman conversant with the history of mankind, perfectly well know, that when one nation begins to arm, the other nation, also, begins to arm? That putting on armor, and the attitude of war on our part, would induce France to do the same on her part? There never was an instance of a nation—unless it was absolutely destitute of means—that did not immediately arm itself when it saw another doing so, and between whom and itself there had been some difficulty.

Then, France and the United States were both to have arms placed in their hands, it appeared. The language of the poet was—"*Furor arma ministrat.*" Take the converse of the matter—"*Arma furorem ministrant.*" Some parties thus appealed to arms—others to harangues and arms; but when two nations armed against each other, they were easily put in a position of war. He would contend, that by the constitution we had no power to arm in a time of peace, except a war were likely to happen; and hence it was, that, whenever unusual appropriations were made to provide the means of defence, from that moment the nation was preparing for war, and it was incidental to war. He was an advocate for peace, and not war; and, for his part, he would as soon vest the president with the power of life and death as give him this great appropriation in the unrestricted mode proposed. Nay, he would not give him power over the vilest wretch that ever disgraced human nature, if that power were not in accordance with the established law of the land; for the principle of our constitution was to put power into no man's hand which, by possibility, he might abuse. Mr. L. trusted that the senate would adhere to its disagreement to the amendment.

Mr. *Wright* hoped the senate would not adhere to their disagreement. He felt himself bound to state that he did not know that he had heard of the constitution being broken down—destroyed—and the liberties of the country overthrown, so frequently into that senate, as to render him callous to the real state of things. For the last sixteen months those fears and forebodings had been so strongly and often expressed on that floor that they had been forcibly impressed upon him; yet, he must say, that he was incapable of perceiving a particle of their effects. No evidence had he seen of them; nor could he now partake of the alarm which some gentlemen pretended to feel, when he saw that the asseverations made at this time came from the same source. What had the senate now before it? A bill from the house of representatives—from the immediate representatives of the people, proposing to provide for the defence of the country. What had honorable senators debated? The danger of executive power. Were, he would ask, those representatives sitting at the other end of that capitol the most likely to contribute to that danger? Was that the source from which senators were compelled to look for danger in that respect? Such an idea had never occurred to his mind. Under what circumstances did the members of the other body present the appropriation? He believed, and he spoke on good authority, that our minister at the court of France had informed this government that it was problematical that the French might strike the first blow against us by detaining our fleet now in the Mediterranean. Congress were on the point of adjourning; and, being in possession of such advices from our minister, they had thought proper to act as they had done in regard to this appropriation. And he would inquire, by what notion it was that the senate were to be impressed with the danger of putting this power into the hands of the executive—that our liberties were to be destroyed and the constitution trampled upon? Ay, in making an appropriation for the defence and safety of the country from a *foreign* enemy!

The hon. senator (continued Mr. W.) has exhibited to us the danger—of what? Not of a *foreign* enemy, for he would hardly dread the landing of a foreign foe at our doors—but, a *domestic* enemy is to ruin us! I remember, though it was at a period when I was very young, that a certain portion of the country held the same opinion as the honorable senator, and, when a *foreign* enemy did land in it, no alarm was shown, but the people there were alarmed at the *domestic* enemy. How was the foreign enemy met, as the honorable senator has most eloquently said, "breast to breast?" No; that enemy was seen holding a Bible in his hand, and the American citizen putting his hand upon it, and swearing allegiance to the British government. Such is not *my* feeling in regard to a foreign enemy. I would prepare to repulse him at the first step. I would prepare to prevent him touching my native soil, if I had it in my power. Mr. W. in conclusion said that the other house had devoted a great deal of time to the consideration of the whole subject, and had come to the conclusion that an appropriation ought to be made. He trusted the senate would not adhere to their disagreeing vote.

Mr. *Webster* said, he had heard the gentleman from New York make an allusion to a particular part of the country, during the war with England, as being more fearful of domestic than of foreign enemies. It was necessary for him at once to come to an understanding with the honorable member. He desired to know whether he meant any thing, by those remarks. He felt that his public situation entitled him to a direct answer; and he asked the honorable member, therefore, to say, explicitly, whether he had intended to insinuate, in any manner or degree, that his (Mr. W.'s) conduct, during that war, manifested any want of disposition to repel the public enemy?

Mr. *Wright* said, in reply, that it was not till after that period that he had become acquainted with the senator from Massachusetts, in his public character, and therefore could have had no such intention.

The question was then taken on adhering, and decided as follows:

YEAS—Messrs. Bell, Bibb, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Goldsborough, Hendricks, Kent, Knight, Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Swift, Tomlinson, Tyler, Waggaman, Webster, White—29.

NAYS—Messrs. Benton, Brown, Buchanan, Cuthbert, Grundy, Hill, Kane, King, of Alabama, King, of Georgia, Linn, McKean, Ruggles, Robinson, Shepley, Tallmadge, Tipton, Wright—17.

So the senate adhered to their disagreement to the amendment.

The house further insisted, and asked a conference, which being immediately granted by the senate, Messrs. *Webster*, *Frelinghuysen* and *Wright*, were appointed conferees on the part of the senate,

Shortly afterwards, Mr. *Webster* reported that the committees of conference had agreed, in lieu of the amendment of the house, to recommend the adoption of the following appropriations:

"As an additional appropriation for arming the fortifications of the United States, three hundred thousand dollars.

"As an additional appropriation for the repairs and equipment of the ships of war of the United States, five hundred thousand dollars."

The house having possession of the bill and papers, the senate could not act on the report until it heard from the other house.

After waiting some time, on motion of Mr. *Webster* the senate adopted the following resolution:

Resolved, That a message be sent to the honorable the house of representatives, respectfully to remind the house of the report of the committee of conference, appointed on the disagreeing votes of the two houses on the amendment of the house to the amendment of the senate, to the bill respecting the fortifications of the United States.

The senate then waited still a good while longer, and not hearing, sent still another message, informing the house, that they, the senate, had no further business before them. No answer coming to this message, the senate, after waiting a considerable time longer, and hearing nothing from the bill, finally adjourned.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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The hostile proceedings of the state of *Ohio* and ter-
ory of *Michigan*, has given importance to the debates
congress on their boundaries. We copy two speeches,
om the "National Intelligencer," on this subject. The
nate had passed a bill favorable to the claims of Ohio,
t the house left it lying on the table when the adjourn-
ent took place. The strip of territory is not a large
e, but rather important on account of its location.
It is feared there will be a military contact. Two
rsons passed through Baltimore, a few days past, charg-
with mediating in this matter, by the president of the
nited States; but expressed an apprehension that, be-
e their arrival, blood might be shed in this quarrel.

—

The legislature of *Maryland* adjourned during the
ght of Saturday last, after an arduous and important
ssion.
The acts of this legislature will cause it to be denomi-
ted the liberal, the enlightened, and the just—as to
great measures that have been before it; especially
a pledge of the faith of the state for the payment of
o millions of dollars, to complete the Chesapeake and
io canal to Cumberland, and of one million of dollars
complete the Susquehannah rail road to York, Penn-
lvania.
We congratulate the public on these events. They
ve opened to us a new era. The state is disenthralled
m those narrow and local jealousies that have encom-
sed it. The interest of its great commercial empo-
m has been regarded as the interest of the whole, as
hould be, and a correspondent good feeling will pre-
l.
The sum appropriated to the Chesapeake and Ohio
al will, it is believed, finish that splendid work to
mberland—to the COAL MINES, and link us with the
reat west," by the nearest route; and, if it shall pro-
d no further, attain for us a large portion of the trade:
such is the actual condition of things, that goods
m *Wheeling* can be transported east as cheap, if not
eaper, than by any other route—aye, and from *Pitts-
gh* too, the navigation of the *Monongahela* being im-
ved, as it will be. And our markets for flour, tobac-
&c. &c. are fully equal to those of our rival cities
ther north. At *present*, with all *their* improvements,
t quantities of goods arrive here (from *Philadelphia*
New York), for the west. The coal will come in
of the large business that lies before us; and, though
t trade, for *exportation*, may chiefly centre in the
trict, that part of the supply which is needed for
e consumption will find its way to our city by the
timore and Ohio rail road, and at a very moderate
of cost.
The opening of an interior commerce with the valley
he *Susquehannah*, is also a matter of high import-
e. *York* is a point of great interest. *Baltimore* is
natural outlet for the products of this valley—*for the
er is as our own!* Already, vast quantities of produce
end it—and soon large quantities will *ascend;* and
sons who find a market at *Baltimore* for their pro-
e, will no longer have to regret, (as they frequently
d to do) that they *cannot* exchange with us.
On the whole, we meet with few persons whose coun-
ances have not materially changed for the better!
ny who looked to the north for a resting place, have
olved to remain with us. These mighty facilities are
rded, and, with them, an increase of our *banking
ital*, which was much needed. *Maryland* has grap-
d these things with a strong hand—and its effects will
found in the vastly increased comfort and prosperity
all her people.
We may add here another matter of congratulation—
rail road through the city will not be disturbed; but
bably made permanent, under wholesome regula-
s. This is important to all classes.

This road, (the Baltimore and Ohio), is rapidly increasing in productiveness and power. It has reached a point, at *Harper's Ferry*, where it must stop, for the present—and the lateral road to *Washington* will be finished in July next. Then there must be a great diminution of expenses—and, in the mean time, the business will have a vast increase, the road from *Winchester* being united with it. The price of the stock is rapidly rising, and there is good reason for it. It is worth more than 50 dollars a share—and still advancing.

The Annapolis "Republican," with reference to these matters, says—

Not only has the *number*, and in some cases the *dimensions* of the enactments been greater than at any former session in the history of this state, but the *importance* of the measures embodied therein, is beyond comparison. Independent of the accomplishment of the great leading projects of internal improvement—the Chesapeake and Ohio canal—and of the intercourse to the great valley and region of the Susquehannah, both of which are insured so far as they are Maryland projects—independent of these we say, the treasury has for the present, been amply sustained, and a financial plan adopted which will not only save the necessity of future taxation, but will, ultimately, of its own operation, as a measure of finance, bring THREE MILLIONS into the treasury, even supposing neither the rail road stock nor the canal stock should either of them become, as we have no earthly doubt of their becoming, sources of revenue to the state. But why did any man waver in his faith? Exigencies make great men—and when or where was Maryland ever found wanting in the hour of extremity! On this occasion her legislators have proved more than equal to the arduous task they found before them on convening—and, as they separate, their fellow citizens from the Alleghanies to the sea shore, unite as with one voice, in the plaudit of WELL DONE. What Marylander is not now prouder of being a Marylander?

And the "New York Evening Star" remarks—Maryland, in her late munificent appropriation of several millions, to effect the completion of her great rail road and canal communications from the Chesapeake bay to Ohio river, has at length done what she should have long since done—assumed the responsibility and expense upon her own state sovereignty and state pride, without waiting for the charity of the general government, which has already been improperly, and, as we think, unconstitutionally bestowed upon an enterprise that belongs to the state alone. She has at last put her shoulder to the wheel, and wisely concluded not to call any longer on Hercules, [uncle Sam].

—

Our manufactures, generally, are proceeding onward. In many, and important branches, with but small profits to the proprietors of them—unless they are filled with the best and most modern machinery, or have reduced the wages of their working people; but, in others, the progress of improvement has placed them out of the reach of competition. The quantity sold is of an astonishing amount—far beyond that of the imported articles.

It is computed that *thirty* millions are annually disposed of in the city of New York; and large quantities in Boston, Philadelphia and Baltimore, and many other cities and towns located in their neighborhood; and besides, the "mechanical trades," as the secretary of the treasury called them, are flourishing—such as of leather, hats and carriages, &c. &c. and the time will soon have arrived when, (as we oftentimes said), they would not need other than a fair revenue duty, if faithfully and honestly collected, for their support—one of twenty-five per cent. as a mere regulator of importations, and to hold the "balance of trade" even between us and Europe. Thus it is in navigation—and thus it will be in every thing. But as in regard to the latter we required

"discriminatory duties," so with respect to the former we demanded encouragement and protection, and a few years more would have been, perhaps, quite sufficient for us.

We revert to these things just now for the simple purpose of saying, that a great degree of anxiety prevails to keep up "discriminating duties," *as to our navigation*, whenever it is required, for the sake of producing reciprocity—instance, the late act of congress levying such duties upon the tonnage of Spanish vessels from Cuba and Porto Rico. Now, this is all right—just as it should be. But why this anxiety in favor of one branch of industry, and the absence of it in favor of another? Why should the American cultivator of the soil—the grower of wheat—be excluded from the European market by duties that are in their nature prohibitory, while the American ship owner feels the protecting hand of his government?

—

The "*Lexington Intelligencer*" says—

Niles' Register has just reached the end of its 47th volume. He who possesses a full file of this valuable work, has perhaps as perfect a history of the *times*, and of the world since 1810, as can be any where found in so convenient a form. We wish the industrious editor may live to finish his 94th volume, and that the intermediate ones may be as faithful a *register* of events, as interesting to the reader, and as munificently profitable to the publisher. C.

We heartily thank the writer of the preceding for the compliment that he has paid us, and his good wishes expressed—which we have endeavored to deserve; but, really, have no present desire to continue our labor beyond the 50th volume, which we wish to do—if permitted; and hope that our old friends will stand by us until *that* volume is completed. Then some new modification will, probably, take place, and a new start be made.

In the mean time we hope to receive a liberal share of the public support. The idea that this is a *dear* work has operated against us—but by the aid of supplements and extra sheets, it contains about or more than 900 pages, or *four millions five hundred thousand* "*ems*," per annum; and a greater quantity of *reading* or *record* matter than any similar work, being without advertisements or other things "that perish in the using." Indeed, there are hardly a dozen daily newspapers that contain so much of such matter, *communibus annis:* and the *form* that we have adopted, furnished with its copious *index*, (see that sent out with the present sheet), is surely preferable—convenient for instant purposes, and to lay aside for future use.

The editor has hitherto felt himself much at his ease about disposing of his surplus copies—being assured that every one of them would be called for; and he has expended a great deal of money in reprinting some of the early volumes: but it would be very convenient to him, looking to a close of his labors, to sell a certain portion of them, forthwith—which he will do on accommodating terms, on application made.

He would also observe that it is the cheapest work of its kind to send abroad—containing the heads of almost every important political event, with more of detail than any other paper, a few only excepted. It can be sent regularly to *Great Britain* and *France*, the inland postage here being paid—as ordered.

—

On the morning of Wednesday last, at 3 o'clock, we were alarmed by the cry of fire, which was found to proceed from the Liberty fire engine house! It was soon subdued. It is rendered certain that this was the act of an incendiary. And, on opening the Union engine house, on this occasion, it was found that preparations had been made to fire that building, and that, a few minutes more, would have completed its destruction.

A large stable was also burnt down on Thursday night—and a horse consumed, near Harford Run. It was the work of an incendiary. The hose of the Washington company was cut, as that of the Mechanical had been the night before. A person has been arrested and sent to prison on account of this fire.

—

The "Nashville Banner" speaking of the proposed convention at Baltimore, says—

"So long as we live and breathe American air, we will resist the insidious proposition (whencesoever and wheresoever it may originate), to lay at the feet of village politicians and placemen, who most usually fill *conventions*, the inestimable privilege of thinking and acting for ourselves in the choice of our rulers."

The violent attempts to force public opinion, made through the use of Mr. *Crawford's* name, in *congress*, (the memorable caucus of 1823 being the last), brought that mode of nomination into disrespect and disuse; and it is very plain that the present manner, (*by convention*), will follow it speedily. Already, we think has that plan failed in Pennsylvania—and it will fail every where, and on all occasions, unless measures, instead of men, are made the object on which it is to act.

—

In the course of the debate in the senate, relative to the establishment of branches of the United States mint, Mr. *Clay*, on moving for a branch at Louisville, took occasion to complain that Kentucky had no monuments of the favor of the general government. Mr. *Waggaman* replied by the following happy compliment, which was, of course, unanswerable:

"Does the gentleman mean what he says, when he wishes for a branch of the mint in Kentucky, where they have neither gold, silver or copper, to coin, and still less would he want it for a monument of the munificence of the general government? Kentucky already possesses within her limits, what every state in the union would be proud to have within their limits, a monument magnificent and indestructible in itself, and of imperishable renown, in the splendid talents and untiring patriotism of the honorable senator."

—

Under the recent act of congress, providing for the establishment of branches of the mint of the United States, there is to be one branch at the city of New Orleans for the coinage of gold and silver; one branch at the town of Charlotte, in Mecklenburg county, in the state of North Carolina, for the coinage of gold only; and one branch at or near Dahlonnega, in Lumpkin county, in the state of Georgia, also for the coinage of gold only. For the erection of the proper buildings and machinery at New Orleans $200,000 are appropriated, and $50,000 each for the branches in North Carolina and Georgia. The general direction of the business of the branches is to be under the control and regulation of the director of the mint at Philadelphia, subject to the approbation of the secretary of the treasury; and provision is made for the uniformity of the coin issued.

—

Mr. *Poindexter* was, yesterday, to have partaken of a public dinner, at Philadelphia. The Chesnut street theatre had been obtained for the purpose; and it was supposed that a great crowd would be present.

Mr. P. reached the city on Saturday last. He was received at New Castle by a joint committee of the people of Delaware and of Philadelphia; and, being addressed, returned a reply of much energy and force. On arriving at Philadelphia, he was met on the wharf by many thousand persons, who placed him in a barouch and conveyed him to his lodgings—where he again addressed the vast multitude assembled.

The circumstances of his case are peculiar. The late conspiracy against him was, certainly, one of the foulest things ever heard of—and the most base. Not a single senator was found capable of supporting it.

—

The great case of Colin Mitchell and others *vs.* the United States, lately decided by the supreme court, grants them a tract of land equal to about thirteen hundred thousand acres, in Florida. It has been long in litigation, and the magnitude of the demand alone, in all probability, prevented an earlier adjustment—for we learn that, as to the validity of the title, the court was unanimous. It includes the townships of Appalachicola, Magnolia, &c. It originally cost the parties a large sum of money.

—

A Harrisburgh correspondent of Poulson's Advertiser, in some remarks upon the efforts now making in the legislature of Pennsylvania to bring about the repeal of the school law of last session, asserts it as a fact, that one-fourth of the adult population of Pennsylvania are unable to write their names, and when called upon for the purpose, have to "make their mark." The case may be bad enough, but this is doubtless an exaggeration: the other fact mentioned—so creditable to the habits and school

system of another state, we will not controvert. By way of contrast the writer asks: "How does this matter stand in Connecticut? Chief justice Reeves (of that state) says, that, during twenty-seven years of professional practice, every one of his clients could write their names."

—

The *Catholics* now have in the United States, as appears by a recent statistical statement of their own—382 churches—342 priests—20 colleges and seminaries for males—60 seminaries for females—and 17 convents.

It has been ascertained, (says a New York paper) from the official records of the custom houses, as we are informed, that upwards of SIX HUNDRED Roman Catholic missionaries have arrived in the United States within the last twelve months.

—

A Miss *Reed*, of Boston, has published a volume entitled "Six months in a Convent," in which she details certain proceedings said to have happened in the Ursuline that was destroyed at Charlestown—(of which work 5,000 copies had been sold off at once)—and which is thus noticed by the superior—

A card. A book has just made its appearance, containing the lies of that *imposter*—Rebecca Theresa Reed, alias St. Mary Agnes—(though it was not known till a few months since, by the inmates of the Ursuline community, that she ever had any pretension to the latter name). The stories which this female has, for more than three years, been circulating, have hitherto been treated with *contempt*, by those whom she has attempted to injure—but since she has exposed herself, by giving *publicity* to these stories, their *falsity* must be made known, and the public informed of the *real character* of the author. The very *title* of the book comprises a falsehood—*Six months in a convent*—while she was there not more than *four months* and *one week*. She entered Sept. 12, and *eloped* Jan. 18th. Her book will be answered as soon as possible.

March 20. THE SUPERIOR.

[A little more moderation would have been quite as commendable in the superior.]

—

We understand that Mr. Geisenheimer, of New York, is about to erect iron works on the valley furnace tract in this neighborhood, and that part of his machinery will consist of a fifty horse power engine, which will be transported thither at an early period. The fuel used will be anthracite coal, of the power of applying which successfully to this purpose, the enterprising gentleman above mentioned entertains no doubts. We hail this undertaking as one which, if successful, will prove of vast importance to our region, as well as of all others where iron ore can conveniently be obtained. We have reason to believe that the issue of the undertaking will be as prosperous as the spirit of enterprise which dictates it is conspicuous and commendable. [*Miner's Jour.*

The new uses to which anthracite are applied have caused an astonishing rise in the value of coal lands, and Schuylkill, Lehigh and Hudson canal stocks. As to the lands—persons do not know what to ask for them—they suppose that the whole union will become tributary to them! But the Susquehannah region is probably quite as valuable as that on the Schuylkill and Lehigh, &c. and, on its west branch, there are also vast mines of bituminous coal. These must have their out-let by the tide.

Maryland, too, will soon contribute her supply of bituminous coal of a very superior quality, by the Chesapeake and Ohio canal—and at the very lowest rate. When a few more works of internal improvement are made, the duty on foreign coal may be taken off—but, until then, must be kept on. It will, indeed, be a queer thing, if we cannot mine as cheap as the British—seeing that our coal lies on the surface, and that many of their pits are from 600 to 1,000 feet deep. With cheap coal, we shall have cheap iron, &c.

The following are the present selling prices, at Philadelphia, of the canal stocks—

		Par val.	*Selling price.*
Schuylkill navigation	company	50	145
Lehigh coal	do.	50	90½
Hudson and Delaware	do.	100	121

—

The people of *New York* propose to bring, (by means of an aqueduct), the river Croton into the city—a distance of about 45 miles. The Croton is a river of West Chester county, affords a large supply of water, and may be so managed as to overflow the tops of the highest houses in the city. The cost is estimated at about 5,500,000 dollars—a small sum compared with the purposes aimed at. The water of the city, even such as it is, is rapidly declining.

The corporation of *Baltimore* will purchase, we think, the right of the water company, and improve and extend the works. Such things ought never to be in the hands of private persons.

—

The "New York Mercantile Advertiser" says—Our readers will regret to learn that the important bill to aid in the construction of this rail road, from a point near the city of New York, through the lower tier of counties to Buffalo which has occupied the attention of the legislature for some time, was rejected in the house of assembly on Friday, by a vote of 61 to 46. We annex the ayes and noes on the question of rejection—

AYES—Messrs. Adams, Beecher, Benjamin, Brooks, Barnum, Cadwell, Carpenter, Carr, Clinch, Conklin, Crosby, Crowell, Cuykendall, Dayan, Griswold, Groom, Harvey, J. Haskell, Hicks, Hiller, Horton, Hough, Jackson, King, Krum, T. Lewis, Livingston, Lockwood, Loomis, Lytle, McKie, Moore, Murphy, Odell, Ostrom, P. W. Paddock, W. S. Paddock, Palmer, Parker, Pettit, Phillips, Philo, Powers, Preston, Richmond, Ringgold, Seger, Shafer, Shepard, D. Sibley, Springer, Stetson, Stevens, Tillinghast, Van Bergen, Wager, Waldron, Wilcoxson, Wilkinson, A. Woodworth, Wylie—61.

NOES—Messrs. Anthony, Baker, Bennet, Blatchly, A. Brown, G. Brown, Burhans, Burr, Cash, A. Clark, C. Clark, J. Clark, Coe, Crain, Crary, Denniston, Eldred, Farwell, Finch, Fisher, Hall, A. Hascall, Healy, Hendee, Hildreth, Hutchinson, Ingersoll, Jones, Mallory, McCluer, McNeil, Niles, Ogden, Patterson, Peck, Roosevelt, M. H. Sibley, Speaker, C. Strong, E. Strong, Suffern, Tyrrel, Wetmore, Williams, Woodbury, Woodward—46.

The opposition papers are loud in their denunciations of this result. They say that this road was *promised*, together with a demolition of the state prison monopoly—but that both have been defeated—and they attribute their defeat to *political* considerations; with what justice we know not. We rather think that it is the *canal* interest.

The "New York American" says—

"This city, by the unanimous voice of its common council, through the public journals, and in various other modes of manifesting interest in such an enterprise, has expressed its hope and expectation that the state would lend its aid thereto; and surely this voice was entitled to great weight; for if—which seems most improbable to us—any loss had resulted from such aid, ours would be, by far, the largest proportion of it.

"The whole taxable property of the state of New York, was estimated, in 1833, at 430 millions of dollars, of which that of the city of New York constituted 180 millions, or more than *three eighths of the whole*. When, then, this city is unanimous in asking the co operation of the state in a costly enterprise, of which, in the event of a failure, it will have to pay more than three-eighths of the loss—it seems to us a most unjustifiable disregard of public sentiment, as well as of public interest, that their voice should not prevail.

"By the amendment proposed on Thursday afternoon by Mr. *M. H. Sibley*, it was made manifest that the company incorporated for the construction of this great road, asked nothing from the state till they had proved their confidence in the undertaking by large private expenditures, and then only in proportion to such expenditures. Money was in no case asked; nor a gift; simply a loan of stock, to be secured by a mortgage of all the property, including the *rail road*, of the company, and of which, in the worst possible view, the result could only be, that the state might eventually become possessors of an important and extensive rail road, for *two fifths* of its cost. The estimated expense of the road is about *five millions*, the credit asked from the state was *two millions*. Considerations, however, of the general good, had little to do with the decision.

"It is just to the only three representatives from this city who voted for the bill, to name and thank them. They were Messrs. *Hall, Roosevelt* and *Wetmore*."*

—

A report made by the comptroller to the senate of N. York estimates the taxable value of the real and personal property of the people of that state as follows: Real estate $345,403,230. Personal property $107,599,971.—Total—*four hundred and fifty-three millions.*

—

Notwithstanding the canals of Pennsylvania, the Pittsburgh *Statesman* says—We are told that on Monday, 88 road wagons were in this city with goods from Philadelphia; and 64 on Tuesday.

*Four against the road, 3 for it, and four absent. The absentees were, in all, 21.

Two thousand shares in the stock of the Delaware and Susquehannah rail road, allotted to this city, were taken in a few minutes. There will be another competition in steamboats, between Philadelphia and Baltimore.

—

There are about fifty regular packets from New York to Europe—and several hundred others to different parts of the West Indies and the United States, sailing at fixed periods of time.

—

The following announces a fact of immense importance to Pennsylvania—and will render her coal mines more profitable than those of gold—provided only that she can reduce the cost of transportation:

The new steam ferry boat Essex, to ply between New York and Jersey City, has been fitted up with Dr. Nott's patent tubular anthracite coal boilers. The Essex is 126 feet long on deck, with 24 feet beam, and nine feet hold. The engine has a 34 inch cylinder, with 6 feet stroke and 60 horse power. There are two boilers, each 7 feet long and 3½ feet wide. On Monday the boat was brought down from the ship-yard, and with a party of gentlemen on board made an excursion of forty or fifty miles upon the Hudson, and in the bay, using Lackawana coal. The success was complete, and we believe satisfied all on board that the desideratum of generating steam by anthracite coal has at length been attained. The Essex will soon be regularly employed on the ferry, where all who feel an interest in the improvements of the day, can easily examine for themselves.

—

The Portland Advertiser gives the following Indian names of lakes "down east:" Mooseeluckmaguntik, Chemquassabamtook, Baamchenungamook, or Aphmoojeenegamook; Nanjamskillecook.

—

The *Philadelphia Gazette* says that Messrs. Anthony, Beaumont, Harrison, Laporte, Miller, Sutherland and Wagener, seven of the representatives from Pennsylvania, voted against Mr. *Binney's* amendment requiring that the deposite banks shall keep in their vaults specie to the amount of *one-fifth* of their circulation and deposites.

—

The *distance*, by the rail road, between Frankfort and Lexington, Ky. is now a little over *two hours*. "Time was money"—now, also, is space.

—

The house of representatives of Massachusetts ordered to a third reading, by a vote of 221 to 112, a bill of which the following is a summary—

"From and after the first of April next, no brandy, rum, gin or other distilled spirits shall be sold in less quantity than 28 gallons, nor shall any license be granted by the selectmen of towns if a majority of legal voters in such towns shall vote at a legal town meeting that such licenses shall not be granted."

—

A pair of speculators named *Crawcour*, who lately arrived from England, have completely *quizzed* the people of New York, by pretending to cure the tooth ache, and, by the supply of false teeth, "*to give grace to anguish and beauty to decay*," by some "*royal method*" of their own. They moved in the highest circles, and were waited upon and sought for by persons in the highest fashion, oftentimes receiving fees of $50 each—for they talked loudly and freely of the "royal" mouths that they had doctored! It was too good a business to last long. A stubborn husband discovered that they had been playing with his wife, and sent her home with a mouth inflamed by worse diseases than the tooth ache, and presented them as *common swindlers*. But on an attempt to arrest them, the birds had flown, and carried off with them not less than twenty thousand dollars, making their escape by sea, and returning from whence they came in their glory! If they have not injured those to whom they administered beyond the loss of their money, we shall be heartily glad that they had an opportunity to swindle them out of that, by their "royal method." They deserve no better usage. But we fear that, by their villainous compounds, they have permanently injured many silly ones, who desired to have a "royal" exhibit of their skill.

—

The New York Journal of Commerce says:—"We learn on unquestionable authority, that a vessel has left this port within the last ten days, for the coast of Africa. Whatever may be the legal evidence on the subject, no one who has seen the construction of the vessel and her manner of fitting out, can have the least doubt that she is a slaver. She has on board two captains,—one a Portuguese, the other an American."

—

About 700 emigrating *Creeks* arrived at Little Rock, Arkansas, on the 24th ult. and would leave it in a day or two for the lands assigned them in the west. An exploring party had also arrived there, on behalf of the New York Indians. These are between 4 and 5,000 strong —consisting of the Senecas, from 2500 to 2,800, the Tuscaroras 500, Onondagas 300, the Cayugas 300, the Mohawks and Oneidas 200. Verily these are the remnants of nations!

—

The trade of the port of Apalachicola is increasing very rapidly. The amount of cotton exported last year was 29,000 bales, and during the first two months of the present year the exports have already reached 30,000 bales. It is supposed that the whole exports of the year will be 45,000 bales.

—

The *Louisiana Advertiser* of March 2, with all the coolness in the world, says—

A gentleman was stopped on Saturday night by a foot pad, with the customary salutation on such occasions—"Your money or your life." Oh, replied the gentleman, don't get in a passion, and you shall have all I have got, and drew a pistol, and shot the fellow down.

—

A beginning has been made at *Boston* of sending foreign paupers "home." Six were lately returned to the parts from whence they came.

—

The following shews the great *danger* that attends extravagant praise!

The N. Y. Commercial Advertiser says—We hasten to copy the following important article from the Albany Argus:—

Jabez Briggs, esq. has been appointed postmaster at Glen's Falls. This, says a correspondent, is an excellent selection. With the system of retrenchment introduced by the postmaster general, and the agency of faithful and competent deputies, like Mr. Briggs, *the revenue of the department will soon recover from the embarrassment produced by a too liberal increase of public accommodation.*

And of a subsequent day, adds—We regret to learn from the Albany Argus, that that excellent journal was mistaken in regard to the importance of Mr. Jabez Brigg's appointment as postmaster at Glen's Falls. We copy the following correction:

"We published a few days since, a communication from a resident of Glen's Falls, announcing the appointment of Jabez Briggs, esq. as postmaster of that place, in terms of commendation. We knew nothing of the facts, and gave the communication to the public as it came to us. We have since received a communication, signed by several highly respectable republicans of Glen's Falls, disproving the previous statement, and denying that the appointment is satisfactory to the republicans of the town or county. So far otherwise, that they state that great dissatisfaction exists in relation to it, and that measures are in train to correct the procedure."

—

It is said that the vitality of the peach buds has been very seriously and extensively affected by the very severe frosts of last month.

—

A gentleman near *Natchez* has liberated his slaves, about 20 in number, and given them an *out-fit* of from 200 to 400 dollars, for Liberia.

The brig Rover has lately sailed from New Orleans with 71 emigrants—all from Mississippi, three excepted.

—

There was a balloon ascension on Tuesday last, at Baltimore, by Mr. Z. Mitchell—for the first time. We have had rather a surfeit of such things.

—

A writer in the Albany Evening Journal, makes the projected route on the canal from Rochester to Olean, and thence on the Alleghany river to Pittsburgh, nearly as long as from Pittsburgh to Philadelphia, and infinitely less preferable for trade. As an objection, he says:

The produce of the immense manufactories of Pittsburgh, in iron, nails, glass and white lead, would find a profitable market, not in the lake country, but in the centre of the state, and the small, high pressure engines, rail road cars, and many other articles, manufactured at Pittsburgh, would be forced into mar-

ket, in Albany and New York, and thus force the New York mechanic, engaged in producing the same article, either to abandon his business, or transfer his workshop to Pittsburgh.

Is this any *good* reason why the canal should not be made? We have long since brought ourselves into a belief that freedom of communication is *protection* to AMERICAN industry, and that, without the advantages gained from this cause, the applications of science to works of improvement, are, in a great degree, lost. It is this, in fact, that enables England to send many kinds of her manufactures three thousand miles, and yet undersell us. We have *iron* and *coal* as plentiful as she has —but what is the use of them if they are not brought to the market?

The last Wheeling Times says—The river is now in a fine state for navigation. Steamboats are almost hourly arriving and departing, and yet there is an abundance of freight and passengers for all. Wagons from Baltimore are arriving in rapid succession—*two hundred left Baltimore a few days ago, all laden with goods for the west*—at present there is a plenty of back loading for them. Our Ohio friends would do well to send in their tobacco with all convenient despatch, as it can now be forwarded to Baltimore without delay.

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The New York "Evening Star" has the following paragraphs—

The cashier of the —— bank acknowledges the receipt of the following letter with the sum mentioned, for which the writer will please receive his thanks:

"*Sir:* Enclosed is thirty-five dollars, the amount of a check you overpaid some years since. The reason it was not returned at the time was, understanding the bank corrected no mistakes after the person left the bank: but my Saviour has since taught me, that if your banks have no souls, I have; that if you do wrong, that's no excuse for me. Yours, &c. —— & Co.

To —— ——. 1st *Feb.* 1835."

What a filthy cant and pompous fuss is here made about the performance of an act of common justice! We would not trust this fellow three "fippenny bits" worth of any thing—relying on his *honesty of heart* to pay for it! And when so hardly pricked by conscience, why did he make a bargain with it, by refusing to add the interest on the money that he had so long been *feloniously* detaining from its rightful owner? The rule of banks in this matter, is a miserable excuse. It is necessary to them, at least until the "day's work" is posted up, because they cannot *know* that a short payment has been made—but a person receiving a surplus commits a positive and wilful wrong, for the reason that it is possible an *accidental* wrong, *and by his own neglect*, may be committed against himself.

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On what a slender thread hangs human things! "But yesterday"—the princess *Victoria*, of England, was heiress of the throne, and seemed destined to rule over more of the human family than any sovereign on earth, the Tartar emperor of China excepted—but "to-day there comes a frost, a killing frost," and she stands reduced in her rank, stripped of her glory—for the very *important* fact is mentioned that the queen of England, *Adelaide*, is *enciente!*

This has produced much conversation and—*scandal.* The queen is only about 40 years old—the king 70. Perhaps, it is only gossip.

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In the charter granted by the legislature of *Illinois* at its late session to the stockholders of the bank of Illinois, it is provided that the capital of the bank shall be one million five hundred thousand dollars; that the corporation shall have power to borrow money at such rate of interest as may be agreed upon, any sum not exceeding one million of dollars, and the same to loan on bond and mortgage of unincumbered real estate within the state; no loan in real estate to be made for more than one-half the appraised value of said property, and for not exceeding five years, and at no higher rate of interest than *ten* per cent. The charter also promises that, in addition to the discounting of bills, notes and other evidences of debt, receiving deposites and making all other contracts involving the interest or uses of money, by buying or selling gold and silver bullion, foreign coins and bills of exchange, that if the corporation shall refuse or neglect, for ten days after demand made at the banking house, to redeem in specie any evidence of debt issued by the said corporation, it shall discontinue its banking operations; and the bank is not to issue notes of a less denomination than five dollars. The legislature of the state is prohibited from passing any laws retarding, obstructing, staying, protracting or in any wise suspending the collection of the debts due the bank. The stock of the bank is to be considered as personal property and liable to legal process; the debts due the bank, however, to be considered a *lien* in favor of the institution. The state on becoming the *bona fide* owner of a certain amount of stock, is entitled to appoint two directors. The bank pays to the state, annually, one-half per cent. on the amount paid in. And it is also provided, that if the "said bank shall abuse any of its corporate powers, by interfering in any of the elections of this state, other than its own officers, the said bank and its branches shall forfeit its charter and cease to exist."

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The Concord Courier says that the house of representatives of *New Hampshire*, will stand about 145 Jackson to 75 whig—last year the house stood 163 to 63.

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The chamber of commerce of *Lyons* presents a very gloomy picture of the state of that city and its neighborhood, in case of a rupture between France and the United States. The truth is, that, unless justice is rendered, a peaceful remedy is entirely in our power to coerce it; and that which war would fail to accomplish, commercial regulations will bring about without difficulty. At all events, let "reprisals" be avoided—or a seizure of *private* property to revenge a *public* wrong.

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The following remarks are copied from a Liverpool paper of recent date:

Those who attribute the turbulence of Ireland to demagogues and priests, stop at secondary causes. The root of the evil is the physical condition of the people. Irish comfort is English misery, and Irish misery is a thing of which we know nothing in this country. It is useless to hide from ourselves the fact, that unless the condition of the people can be improved, all political amelioration will be vain. Catholic emancipation has not tranquillized the country, neither will the commutation of tithes, nor the total overthrow of the church; and if even the clergy were paid to-morrow it would avail nothing so long as potatoes and buttermilk are the luxuries of the peasantry, and starvation their common lot.

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The town of Para, Brazil, has been assailed by the country people, who killed the president, the commander of the troops and other prominent persons, and proclaimed col. Melchor their president, &c.

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By accounts from Caunpore, we learn that the sales of children have become very extensive in upper India, and hundreds have been eaten by their starving parents!

—

A Liverpool correspondent of the "Albany Daily Advertiser," under date of 24th Dec. 1835, says—

"The bloody massacre which has taken place in Ireland, briefly alluded to in my last, by which more than half a score of human creatures have been butchered in cold blood, at the instigation of the rev. arch deacon Rider in attempting to collect a trifling arrear of tithes, has produced from one extremity of the three kingdoms to the other, a general, almost unparalleled, burst of horror and execration. This diabolical assassination of the poor peasantry of Ireland, at the suit of a fat, unprincipled dignitary of the established church, to which seven-eighths of the Irish people are opposed, will operate most powerfully against the tories and their policy at the coming elections. It is quite a god-send to O'Connell at the present moment, and he is turning it to the best account. Of the 100 members which Ireland sends to the British house of commons, at least 75 will be opposed to the existing administration."

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The last shot in the locker of hypocritical old Wilberforce, king of the kingdom of cracked-skulls, was to accuse people, and *me* in particular, of recommending assassination. To be sure he lied, as he always did; and how such a fellow could live so long, and keep lying all the time, is astonishing. His lying with me, however, was of no use. I met the old ruffian foot to foot; ran my fist up in his face, and justified that which I recommended! [*Cobbett's Reg.*

—

A dreadful earthquake occurred in the island of Java on the 10th of October, at half past five o'clock in the morning—said to be the severest ever felt within the me-

mory of the oldest inhabitants. The concussion is represented as being most awful, and almost beyond description. The governor's palace, and several other houses at Buitenzorg, also the fine house of Pondok Sedie, are destroyed. The government offices, the custom house, and several other large buildings, have all suffered. Four small houses in the Moorish camp, have fallen in. A whole post stationed near Tjiecssaenas, including stable, horses, ten men, dwelling house, &c. was swallowed up, and not a vestige remains of it. A report had arrived on the 13th, of an irruption of the Gunong Gediee, 40 miles distant from Batavia, having taken place, which, it was hoped, would act as a safety valve. No lives are reported to have been lost in Batavia, or its vicinity. Several lighter shocks were felt in the course of the three days subsequent.

Compliment to Mr. Webster. The Harrisburgh Telegraph of Saturday last contains a correspondence between a committee of both branches of the state legislature, and Mr. Daniel Webster. We annex the reply of the distinguished senator, by which it will be perceived that he was induced to decline the compliment of a public dinner. The invitation was free from any party allusion, whatever, and was signed by Messrs. Strohm, Toland and Smith, on the part of the senate, and by Messrs. Stevens, Lawrence, Walker, McCulloch, McSherry, Lacock and W. B. Reed, on the part of the house. Mr. Webster left Harrisburgh on Saturday morning for Lancaster. His wife and daughter are with him.

Harrisburgh, March 19, 1835.

Gentlemen: I cannot be insensible to the honor conferred on me by those members of the legislature of Pennsylvania at whose request you have addressed me your note of this morning. Such a token of respect demands my most sincere and grateful acknowledgments; but my stay in this place must necessarily be short, and I hope I may not be thought wanting in those sentiments, which the invitation ought justly to excite, if, under the circumstances, I ask leave, most respectfully, to decline a public dinner.

I cannot conclude this communication, gentlemen, without expressing the pleasure I have experienced in the opportunity of seeing the legislature of Pennsylvania; of renewing the friendly acquaintance which I have heretofore enjoyed with several of its members, and of becoming known to others, their worthy and able associates in legislative duties; and I add my most fervent wishes for the success of all, in their zealous endeavors to promote the interest of that great and important member of the American union, the commonwealth of Pennsylvania. I am, gentlemen, with much personal regard, your friend and obedient servant, Daniel Webster.

[Mr. *Webster* was about to proceed to Lancaster, where he had been engaged to partake of a public entertainment.

The "Telegraph" thus speaks of Mr. *Webster*—

"It will be seen by the correspondence that the invitation was free from any party feeling or allusion, as it should be. Mr. *Webster* is one of the few men of our country of whom every citizen should be proud. As a great and distinguished man—as an enlightened and liberal statesman, he is an honor and an ornament to this republic, deserving the just homage and esteem of all parties. As a politician his course has been mild and consistent, though firm and unwavering. It has never been intended to excite the prejudice nor wound the feelings of his political adversaries. He is one of those few great men whose influence, in the party with which he has acted, is felt from the highest to the lowest, while it is calculated not to call upon him, for any length of time, the vindictive feelings of excited political warfare."

Mr. Calhoun. At Norfolk this distinguished senator was invited to a public dinner, to which he returned an answer worthy of a patriot and of the times in which we live. It is as follows:

Norfolk, 8th March, 1835.

Gentlemen: I have been honored by your note of this instant, inviting me, in the name of a portion of the citizens of this place, to a public dinner to be given at such time as would suit my convenience.

I regret that my engagement, which compels me to leave this to morrow, also compels me to decline your invitation. If circumstances had permitted, I wish you to be assured, that it would have afforded me much pleasure to accept the invitation of the respectable portion of the citizens of this ancient borough, in whose behalf you act. You will please to make known to them that I place a high value on their personal respect and approval of my public conduct. In times like the present, when corruption stalks abroad in the face of day, when usurpation scarcely deigns to cover its daring encroachments with the thin veil of pretext, when principles and practice are openly avowed and defended, which, if sanctioned, must lead to the establishment of irresponsible and despotic power; when, in a word, the free institutions transmitted to us by our fathers, and the liberty purchased by their blood, are in imminent danger of being subverted forever; it is indeed grateful, in so dangerous a juncture of our affairs, to meet with the support of those whose intelligence and patriotism give so high a value to their approbation. Having no other object in view but our country, and our country's good, I seek no other reward but the approbation of the wise and virtuous, saving only that of an approving conscience. Sustained by these, I do not despair, as gloomy as is the prospect. However widely and deeply corruption has spread its roots, there is still a great majority in whose bosom patriotism is the predominant sentiment. Even among those who are deluded by the tricks, and spellbound by the fetters of party, there are many who, when the final struggle arrives, will be found arrayed on the side of liberty and the country. With great respect, I am, &c.

J. C. Calhoun.

W. W. Sharp, H. B. Gwathmey, M. Myers, S. D. Rawlings, J. N. Tazewell, esquires.

The Pennsylvania rail roads and canals. There is no subject of more vital interest to the trade and prosperity of our state, than the Herculean efforts now being made, and indeed carried into successful execution by Pennsylvania, of diverting the commerce of this city with the south through her state, in preference to our own line of internal communications with the lakes. It is a fact, that Philadelphia and Pennsylvania will realise this golden dream of their ambition, by the cheaper facilities and earlier opportunities which their route offer to our merchants, unless we bestir ourselves in time and nip their enterprise in the bud, by opening a direct route from New York city to Lake Erie by the great contemplated rail road. From gentlemen who are particularly conversant with the Pennsylvania improvements, we learn that during the last season the trade through that channel was in most active and successful operation. The route from Philadelphia to Pittsburgh is now complete in all its parts—first by the beautiful rail road from Philadelphia to Columbia, on the Susquehannah river—on which there is a full train of passenger and freight cars of the first class—thence by the canal to Harrisburgh and Hollidaysburgh, by a splendid line of boats. Thence by the Alleghany and Portage rail road, across the mountains, by ten inclined planes, 36½ miles, to Johnstown, where another canal leads direct to Pittsburgh on the Ohio—thus opening the portals to the great waters of the west, the lakes, the canals of Ohio, &c. The largest inclined plane is about ¾ of a mile, which rises about 332 feet the whole length.

On these inclined planes alone there were in full operation during the last summer 237 burden cars—and the state has now finished on it a second tract of rails, and have doubled the engines, making 20 in all, of 70 horse power each, and each of which will raise two loaded cars, or 7 tons, at a time, up the longest plane in five and a quarter minutes. These engines are all supplied with fuel from the bituminous coal mines, which are abundant in the adjacent mountains—of the best quality and furnished by state contract, delivered at the several engine houses, at 3¾ cents the bushel. One article of produce which crossed this rail road the last season, was 500 hogsheads of tobacco raised in Ohio, consigned to Baltimore, by way of Philadelphia; and another production from western Pennsylvania, which came over this road, was 1,000 barrels of salt, consumed in the state east of the mountains. In a few years there will be 600 burden cars on this road alone, transporting annually from the southwest, a million of tons of various kinds of merchandise and produce—of which a part will consist of 3,000 tons of slab and bloom iron for the factories at Pittsburg. It may be added, that the elegant accommodations of the cars and boats, and the expeditious travelling, make now the Pennsylvania line the most desirable for all persons wishing to pass from our sea board to the great west, particularly emigants.

[*N. Y. Star.*

Wheeling, March 23. It gives us pleasure to announce the return of our fellow citizen, Joseph Caldwell, esq. from his mission to Philadelphia, as an agent of the corporation for the negotiation of a loan to consolidate the public debt. He succeeded in obtaining, from the agents of N. M. Rothschild, of London, a loan of 100,000 dollars, redeemable in twenty years, at an interest of 6 per cent.

Pacification of Spain. The London Morning Herald gives the following as the outline of lord Wellington's plan for the pacification of Spain:

1. Abdication of Don Carlos in favor of his eldest son.
2. Withdrawal of queen Christine from the Spanish dominions.
3. Immediate betrothment of the eldest son of Don Carlos with Isabel II.
4. The government to be carried on in the name of Charles VI, and the estate real to remain in force.
5. A council of regency to be appointed, in order to govern the country until the young prince be of age, (his majority being fixed at 18), and to be composed of five members, among whom Zumalacarreguy and the marquis de las Amarillas are necessarily to be included.
6. An unconditional amnesty for all political offences.

7. Securities to be given to the people of the Basque provinces and Navarre, for the maintenance of their fueros.

8. All loans or debts contracted in the name of the anti-salique dynasty, or in that of Don Carlos, to be acknowledged and considered as the royal debt of Spain.

9. All ranks, titles and decorations, conferred by the present queen, or Don Carlos, to be declared the property of those to whom they have been granted.

Lord Fitzroy Somerset is said to have actually left England on this identical mission. Don Carlos is to be allowed £50,000 a year.

ITEMS.

The Citizens' bank of New Orleans has effected a loan of *nine millions* of dollars in Holland, for the purposes of its banking operations.

Freights, at Matanzas, had fallen from 4*l.* to 2*l.* 10*s.* in American vessels, in consequence of our disputes with France. *Neutrals* were getting all of them!

On Saturday last, the 21st instant, the *Hudson* was so far opened, as that the steamboats run regularly from the company's dock, six miles below Albany. No doubt the entire navigation would be opened in a few days. On Sunday there was a snow a foot deep at Albany.

It is said that the Penobscot, at Bangor, in Maine, has as much water power as would move machinery enough to supply the whole western hemisphere with a full supply of cotton and woollen goods.

The Milledgeville Union says, "We have good reason to believe that a treaty has been made with the Cherokees, for the entire extinguishment of all their claims to lands east of the Mississippi, giving them in exchange an ample territory in the west, with a very large sum of money."

[The sum stipulated to be paid we understand to be *five millions* of dollars.]

Speaking of lord Durham at an electioneering speech in Scotland, Dr. Bowring, editor of the Westminister Review, said—"Never was any man so singled out for popular affection—never was any man so dragged up from nobility to popularity."

Died, in Tennessee, the great and good *McKendree*, senior bishop of the Methodist Episcopal church, in the 78th year of his age.

A new rail road across *New Jersey*, by way of New Brunswick, will be made, in the course of the summer—and then will come on the argument at law.

MEMBERS OF THE BRITISH PARLIAMENT.

The members of parliament chosen for the city of London are Aldermen Wood, and Messrs. Jas. Pattison, Wm. Crawford and George Grote, esquires. The news was announced at Guildhall by the sheriff, Jan. 8, half past 1 P. M., amidst an immense crowd and extreme excitement, cheering and applauding. The complexion of those persons, now called reformers, may be learned from the following extracts of their speeches on this occasion:

Mr. Pattison:—If he was a destructive in the general meaning of the word, did the electors think that such a man as Mr. Lewis Lloyd, a banker in the city of London—possessed of immense property, and a great landlord—would have proposed him as one of their representatives? (Cheers, and no, no). Did they think that honorable and independent man, that great philanthropist, Mr. Gurney, would have seconded his nomination? (No, no). Mr. Lloyd had no confidence in the present government; and Mr. Gurney, whose whole soul was engrossed in emancipating the negroes, had no faith that sir R. Peel's ministry would work out the great blessings contemplated by the bill for the abolition of slavery. (Hear.) Those gentlemen both knew that he (Mr. P.) was a reformer, and that name meant a friend to the people. (Cheers.) Notwithstanding, he was called a destructive, and they were possessed of immense wealth, they proposed him to the notice of the citizens of London. (Hear, hear, and cheers.) Was not this sufficient to refute the ridiculous charge of wishing to destroy the institutions of the country? (Yes, yes, and cheers.) He gloried, however, in the name, if it only meant that he wished to destroy the abuses which had crept into the church and state. (Tremendous cheering.) For destroying those abuses, his best energies should be exerted.

Mr. Grote—As long as there was a ministry opposed to reform and liberty, there would be a pressure from without. (Hear, hear, and cheers.) As to the charge of being a destructive, he disdained a reply to such a ridiculous allegation. He did not believe there was a single friend to liberty but what would shed his blood for the rights of property. (Cheers.) He never could subscribe to the doctrine of their opponents, that the longer the purse the better the man. (Hear, hear, and cheers.) He thought the humble tradesman had as great a stake, and was equally anxious to preserve order, as the wealthiest merchant. (Cheers.)

Mr. Travers, one of the meeting, said that the results of that election spoke in a voice of thunder which could not be mistaken by the country of the court faction. (Cheers.) Sir Robert Peel's ministry dare not dissolve parliament again. (Cheers.) The king dare not sanction such a measure. (Hear, hear, hear.) It would be an insult too great for the people to bear. (Hear, hear.) His majesty never could thus insult a people on whom his progeny fed so well, and for whom they did so little. (Hear, hear.)

GOV. BRANCH AND GEN. JACKSON.

We have received the following note from governor Branch, which we submit with a simple affirmative of the truth of his statement as far as we are concerned—

Endfield, March 11, 1835.

"MY DEAR SIR: In the Richmond Enquirer of the 7th inst. I find the following, viz:—'We are *authorised* to state, that the president of the United States *denies* ever having spoken of Mr. Stephenson as governor Branch has represented, or having entertained any such sentiment.'

"In 1829, perhaps some time in the summer or autumn, gen. Jackson authorised you, as the editor of the Telegraph, to deny that he ever said that he would not have appointed judge Berrien attorney general, had he known he was professionally engaged for the Spanish claimants; thus giving a positive contradiction to a statement made by his friend general Call, in answer to an allegation of col. White's against general Jackson. Under this, Call *writhed* and *twisted* for some time—but at length, to save himself from public odium, he exhibits general Jackson's letter of a previous date, in which he says to Call 'that had he known of Berrien's being engaged for the Spanish claimants, that he would not have made him attorney general.'—Now, sir, if he was *hardy* enough to *authorise* you to deny what gen. Call has since *proven to be true under his own hand*, what more, or better can be expected from him in relation to the facts which I have stated? To please Ritchie, he has screwed himself up to the sticking point, as far as to deny *one single fact* in the narrative which I have submitted to the public, thereby virtually admitting the truth of all the rest."

The preceding is copied from the *Telegraph*. Gov. *Branch* had said, in a speech in the senate of North Carolina, that the president had declared Mr. *Stevenson* was not worth the powder and shot it would take to shoot him—which is denied as above stated.

WHIG MEETING.

At a meeting of many of the whig members of the government of Maryland, held at the city of Annapolis on Friday, March 20, *George C. Washington*, esq. was called to the chair, and *Joshua Jones*, appointed secretary. The following resolutions were adopted.

Resolved, That we mutually pledge ourselves in each other and to the friends of correct principles throughout the state, that we will use our best efforts to preserve the whig party in union and concert, with a view to the election of a president and vice president of the United States, after the expiration of the present terms of those offices.

Resolved, That we recommend to the whig party of the state to refrain from all nominations of candidates for those high offices for the present, and until a convention of the whig party of the state can be held in the city of Baltimore—which we respectfully recommend to be held in said city on the 22d day of December next, and to consist of five members, to be selected from each county in the state, and the same number from the city of Baltimore.

Resolved, That the proceedings of this meeting be signed by the president and secretary and published.

GEO. C. WASHINGTON, *president*.

JOSHUA JONES, *secretary*.

BANK OF THE UNITED STATES.

Abstract of the report of the United States bank for the 1st of March, 1835.

Loans on personal security	$31,152,368 29
do on bank stock	862,566 12
other security	3,935,370 13
	$35,950,304 47
Domestic bills of exchange	21,864,100 18
	$57,814,404 65
In London and Paris	2,754,244 65
Specie	16,567,893 36
Redemption of public debt	699,999 89
Treasury United States	690,704 37
Public officers	1,192,723 02
Individual depositers	8,903,807 35
Circulation	19,519,777 90
Due from other banks	2,261,477 10
Due to do.	5,011,634 24
Notes of state banks	2,173,925 41

Loans at New York branch.

On personal security	$5,505,365 05
On bank stock	134,950 00
On other security	483,574 07
Domestic exchange	2,328,906 83
	$8,452,797 95
At Boston	2,774,318 75
At Philadelphia	8,067,899 79
At Baltimore	1,634,155 80

During the last four months the loans of the bank have been increased more than twelve millions of dollars; its circulation more than three millions five hundred thousand dollars, and its indebtedness to other banks more than two millions.

Increase of loans more than	$12,000,000
Increase of circulation	3,500,000
Increase of bank indebtedness	2,000,000

In estimating the affairs of the bank, a strict regard should be had to *time*. And, besides, the bank is more and more shaking off its *accommodations*, and doing a business on *real paper*—or that which has the appearance of such, and is, in effect, the same.

In February 1831, the loans amounted to			$45,869,252
January	1832,	do.	66,293,707
"	1833,	do.	61,695,913
June	1834,	do.	52,202,912
March	1835, as above		57,814,404

BANKS AND THE CURRENCY.

From Williams' Register for 1835, we have obtained the following statements respecting the banks of this state. There are in the state of New York—

	Capital.
77 safety fund banks	$26,531,460
10 banks not subject to the safety fund	5,250,000
3 branches of the U. S. bank	3,000,000
90	$34,781,460

Capital, circulation and specie of the 86 state banks in operation, Dec. 1, 1834.

	N. York & Brooklyn banks.	Country banks.	Total.
Capital	$19,361,200	12,120,260	31,481,460
Specie	6,257,524	1,087,671	7,345,195
Whole circulation	5,836,476	10,894,538	16,731,014
Under five dollars	969,051	2,761,851	3,730,902
Five dollars	530,575	4,012,845	4,643,420
Above five dollars	4,236,850	4,119,842	8,356,692

Location of the banks.

Counties.	Banks	Capital.	Counties.	Banks.	Capital.
Albany	6	$2,151,600	Onondaga	2	300,000
Broome	1	100,000	Ontario	3	800,000
Cayuga	2	450,000	Orange	3	445,660
Chatauque	1	100,000	Orleans	1	200,000
Chenango	1	120,000	Oswego	1	150,000
Columbia	1	150,000	Otsego	2	220,000
Dutchess	3	550,000	Rensselaer	5	1,438,000
Erie	2	600,000	Saratoga	1	100,000
Essex	1	100,000	Seneca	1	200,000
Genesee	1	100,000	Schenectady	2	315,000
Greene	2	250,000	St. Lawrence	1	100,000
Herkimer	1	200,000	Steuben	1	150,000
Jefferson	2	280,000	Tompkins	1	200,000
Kings	2	500,000	Tioga	1	200,000
Lewis	1	100,000	Ulster	1	100,000
Livingston	1	100,000	Washington	1	100,000
Madison	1	100,000	Wayne	1	100,000
Montgomery	1	100,000	W. Chester	1	200,000
Monroe	2	550,000	Yates	1	100,000
New York	12	18,861,200			
Niagara	1	100,000	Total	*89	$31,781,460
Oneida	3	800,000			

IMPORTS AND EXPORTS.

A statistical account of the *imports* and *exports* in American and foreign vessels, together with the amount of duties secured in the district of New York during the year 1834.

IMPORTS.

	In American vessels.	In foreign vessels.	Total amount.
1st qr.	19,855,324	780,594	20,635,918
2d	18,406,257	2,172,488	20,578,745
3d	19,146,973	1,129,531	20,276,504
4th	14,816,967	568,362	15,385,329
	$72,225,521	$4,650,975	$76,876,496

EXPORTS.

	Domestic articles in American vessels.	Domestic articles in foreign vessels.	Foreign articles in American vessels.	Foreign articles in foreign vessels.	Total amount.
1st qr.	2,133,998	323,400	1,662,156	739,119	4,848,574
2d	2,876,393	561,155	2,219,739	1,445,285	7,102,572
3d	2,214,136	671,815	1,395,475	740,288	5,021,714
4th	2,875,174	444,177	1,403,483	500,374	5,223,208
	10,089,602	2,000,547	6,680,853	3,425,066	22,196,068

*Including two branches of Ontario and Utica banks.

DUTIES SECURED.

	By Amer. vessels.	By foreign vessels.	Total amount.	Amt. of reductions on account of Mr. Clay's bill.*
1st qr.	3,071,412 11	109,907 47	3,181,319 58	147,228 28
2d	2,069,225 05	432,410 15	2,501,635 20	101,533 85
3d	2,299,978 42	211,748 21	2,511,726 63	113,830 94
4th	1,885,987 84	102,483 39	1,988,471 23	92,138 91
	$9,326,603 42	$856,549 22	$10,183,152 64	$454,731 98

THE APPROACHING COMET.

From the Falmouth (Eng.) Packet.

Lieut. R. Morrison of the royal navy has published a most interesting work upon this magnificent phenomenon, which is expected to be seen in the course of the next year, 1835, between the months of May and August, in the constellation of *Ursa Major*. Lieutenant Morrison states that it will be far more splendid than the one of 1811: some writers affirm that 'it will afford a degree of light equal to a full moon, that its tail will extend over forty degrees,' and when the head of the comet reaches the meridian, its tail will sweep the horizon. The author contends that the electric and attractive powers of the comet will have very serious effects upon our atmosphere, in producing inundations, earthquakes, storms, tempests, volcanic eruptions, and epidemic diseases. In support of the theory he refers to the different appearances of this comet for the last six hundred years—showing that in the comet years, these phenomena prevailed to a great extent. The warmth of last winter and the violent winds, as well as the great heat of the late summer, are attributed to the approach of the comet. The author says:

"Relying on the correctness of our principle of cometary influence, we venture to predict that the summer of 1835 will be remarked for intense heat, which may be expected to destroy the harvest in some parts of the world. That year will be noted for earthquakes and volcanoes, and other similar phenomena. The end of 1835, or early in 1836, may be expected to be remarkable for some one or more very extensive earthquakes. The winters of 1836 or 1837, will bring a frost such as has not been equalled for at least twenty years. The parts of the earth which we anticipate will suffer most, are those situated to the north of Asia, and some parts of the southern hemisphere, such as China. But those parts which are in the vicinity of volcanoes, such as Italy, Dalmatia, &c., are of course, always subject to the electrical phenomena of earthquakes, because the frequent internal changes which the combustion continually in action creates, must necessarily produce a derangement of electricity. And if, while the comet is near the earth, overcharged with electricity, as at the same time it was in perihelion in 1456, there be any internal cavity of the earth, by which combustion of sulpher, &c. is deficient of that fluid, it will rush into the earth at that spot. This we take to have been the case, at that period, near Naples, when the sudden rending of the earth destroyed forty thousand human beings."

The comet—A magnificent comet is expected to make its appearance during the present year. The American Almanack states that *two* will return to their perihelium, and also to their perigee, or points nearest the earth. "But, as from some unknown cause," says the editor, the light of these bodies seems to be constantly dimininishing, it is doubtful whether either of the two will be visible to the naked eye, or, indeed, without the assistance of a very powerful telescope." But a late English paper, the Falmouth Packet, contains a notice of an interesting work by lieut. R. Morrison, of the royal navy, which speaks of the comet which will be seen between the months of May and August, as a most "magnificent phenomenon." Which of those mentioned in the American Almanack is here alluded to is not known—perhaps it is neither.

It is to be hoped that no greater irregularities or extremes in the weather than we have had for twelve months past, will visit us as attendants on an expected celestial visitant. Epidemic diseases, doubtless are produced, or affected by the atmosphere; but whether the different *states or quarters of the atmosphere* are in any way connected with the revolutions of the comets, is a question not perhaps so easily solved.

THE PENNSYLVANIA SCHOOL LAW.

On the 17th inst Mr. *Kerr*, of Alleghany, made the following report:

The committee appointed to report to the house the number of petitioners in each county of the commonwealth praying for the repeal, and the number praying for a modification of the school law, and the number remonstrating against said repeal, and also how many of said petitioners signed by making their mark, and how many names to the petitions were written by other hands than the petitioners, report:

*This reduction is made by deducting 10 per cent. of the excess of duties over 20 per cent.

That although the number who have petitioned for the repeal deplorably large, yet it is but a small minority of the whole mber of voters in the commonwealth, to wit: about thirty-o thousand. Those who ask for a modification only are two usand and eighty four; those who have deemed it necessa to remonstrate against the repeal, two thousand five hundred d seventy five. The committee were pained to find among se who deem a general system of education unnecessary d ask for its repeal, *sixty six* who are unable to write their n names, and who attached their signatures by making their rks; and according to the best conclusion to which the com tee could arrive, more than ten out of every hundred of the itioners' names appear to be written by other hands than ir own. Whether this arose from inability to write their n names, the committee do not feel themselves called on to termine. The committee would further remark, that in most the petitions not more than five names out of every hundred written in English, and the great mass of them are so illegi- written as to afford the strongest evidence of the deplorable regard so long paid by the legislature to the constitutional nction, to establish a general system of education.

Resolved, That the committee be discharged from the further sideration of the subject.

PENNSYLVANIA.

The plot begins to thicken in *Pennsylvania*. It will be recol- ted that the late convention to nominate a governor was *dis- ed* on Friday, the 6th inst. but that another meeting was d on the following day, at which Mr. *Wolf* was preferred, l delegates to the Baltimore convention appointed and per- s to serve as electors of president named, &c.

The other party, the friends of Mr. *Muhlenberg*, will not agree this. The *apparent* minority have rallied themselves, and "democratic republican" members of the legislature, in an dress to the people, say—

The night after the convention was dissolved, and the follow- morning, a large portion of the delegates, the entire repre- ntation in many instances of whole counties, returned to ir homes. It was not without surprise and astonishment t we are informed, that on the following day a part of those o had been delegates, with many whose seats had been dis- ed, and who had not been received into the convention be- e it adjourned, and after most of those who controverted se seats had left Harrisburgh, met together, received several ividuals who never before that day claimed to be delegates, l actually organized as a convention. This meeting nomi- ed Geo. Wolf for re-election, and assumed the right to ex- ge from the minutes of a convention which was dissolved, evidence of its proceedings; an effort as vain as it was irre- arNo one who has a prudent regard for the security of the ocratic party can suppose that this irregular movement will sanctioned by the people. Besides the obvious objection t all right to assemble in convention had ceased after the nal dissolution of the body, it will occur to every one that a nination effected by a part only of a dissolved convention, l after the representatives of many counties had gone home, wholly irregular, and has no binding validity on the party.

The counties of Adams, Allegheny, Berks, Beaver, Clearfield, wford, Chester, Columbia, Delaware, Dauphin, Erie, Fay- , Franklin, Green, Juniata, Lancaster, Lebanon, Luzerne, igh, Montgomery, Mercer, Northampton, Northumberland, ladelphia city and county, Schuylkill, Susquehannah, So- rset Union and York, were either wholly or partially unre- sented in this assembly, or by gentlemen who were intro- ed on motion when it met, or whose seats were disputed.

Of these, seventeen counties which had been represented in vention before it dissolved, were wholly unrepresented in irregular meeting. Can any suppose that the democracy of se counties will feel themselves bound by such a procedure; t not rather to be believed that so far from feeling any obli- ons to sustain it, they will be indignant at the attempt to d them by an act in which they had no participation, after ir representatives had retired. Surely this is the inevitable clusion; and can any reasonable man believe that the gen nan nominated, be he ever so deserving, can be elected hout the aid of the democracy of these counties, disregard- and contemned, many of which give the largest majorities to democratic party. What remains to be done? Is not the h of duty plainly open to us? This nomination is wholly gular, and we cannot hope upon that to unite the democra- party. Then let us every where lay aside feelings of excite nt, and remember that we are brethren of the same family, fessing the same principles, and anxious to pursue them by asures which have a common end. Let us every where et our delegates according to the recommendation of the vention just dissolved; let us come into the new convention Lewistown, and there laying aside all dissentions, as we l have avoided all causes of dissention, make a nomination which every good democrat will feel himself bound by every igation of honor. The crisis is one of no common import- e; we have witnessed a struggle within a brief space of e of unparalleled interest—one in which we believe your rest rights were at stake. Although so far the people and ir cause has triumphed, there are indications which prove t those who have been so zealous in this controversy against , do but rest from the contest, in the hope that an opportu- will be offered by your dissentions to overwhelm you.

"We do then most earnestly entreat you to be united in action, as you are in principle. If the delegates to the convention which dissolved in the mode we have stated, and who considered the act of dissolution as final, had not gone home, we should not have been subjected to the necessity of making the exposition which we have done; but as this is the case, and attempts may be made by misrepresentation to make a false impression, we have felt it our duty to authenticate the truth upon our responsibility. This will at once, as we believe, contribute to promote the great cause which we all profess to cherish, and will answer the many letters which our constituents address to us to ascertain the true state of the case.

March 14, 1835.

Lewis Dewart, Northum. co.	*John F. Derr*, Columbia.
Henry W. Conrad, Schuylkill.	*John Jackson*, Berks.
John Rheiner, jr. Philad. co.	*Lewis W. Richards*, Berks.
Henry Snyder, York.	*Jos. Imhoff*, Somerset.
John Dickey, Beaver.	*D. Middlecoff*, Adams.
B. A. Bidlack, Luzerne.	*Jacob Herrington*, Mercer.
H. H. Fore, Bedford.	*Jacob Hummel*, Union.
Jedaiah Irish, Northampton.	*Zibu Bennet*, Luzerne.
James Murry, Westmoreland.	*Henry Schneider*, Montgomery.
John Matheys, Montgomery.	*John M. Jones*, Montgomery.
John H. Sangston, Fayette.	*Jacob Erdman*, Lehigh.
Jos. Williams, Susquehannah.	*Thos. Burson*, Green.
John Ulrich, Berks.	*Jos. Fornance*, Montgomery.
Jacob Krebs, Schuylkill.	*T. S. Cunningham*, Mercer.
Chas. B. Penrose, Cumberland.	*Samuel Brooks*, York.
Wm. Hottenstein, Berks."	

On Monday last, a great meeting was held in Philadelphia, *Joseph Worrell* president, with sixteen vice presidents and four secretaries—"all the avenues of the court house being thronged with the democracy of the city and county." After several addresses had been made, a long string of resolutions were adopted, maintaining the ground taken in the preceding exposition, denouncing gov. *Wolf* and his "SHAM nomination by the SHAM body," and saying that he had "forfeited every claim to the future confidence of the democratic party," together with his late secretary of state, *Samuel McKean;* and resolving that—

"The collection and concentration by executive mandate of judges, life officers, aldermen, justices, canal commissioners, superintendents, supervisors, toll collectors, lock tenders, contractors, creditors and debtors of the state at Harrisburgh, to overawe and intimidate the members of the 4th March convention, should be visited and marked by the strong arm of the legislature, as it will be by the people in the exercise of the elective franchise."

And—"That in Henry A. Muhlenbergh of the old democratic Berks, we recognise the decided democrat, the warm friend and supporter of our beloved president, Andrew Jackson, and of Martin Van Buren, the opponent of any bank of the United States, the unwavering advocate of the removal of the public deposites, and of the constitutional currency of gold and silver coin, of a national convention, of reform, and of the rights of the people, and we do accordingly nominate him as a candidate for the important office of governor of this great state—subject of course to the decision of the Lewistown convention."

And appointing a committee of correspondence of thirty—among whom we recognise the names of Joseph Worrell, Sam'l B. Davis, Henry Horn, William J. Leiper, Benjamin Mifflin, Mahlon Dungan, &c. &c.

The *Pennsylvanian* says—"The meeting of Monday night in every way outstripped our expectations—in numbers, in enthusiasm, and in determination. It was harmony in every point, and it is evident that all who participated had closely studied the questions at issue, and had narrowly observed the movements of the political field. When such is the case, even the doubters and trimmers will be compelled to admit that the people are with us, and that our ultimate triumph is as sure as it will be glorious. MUHLENBERG and REFORM is the rallying cry, and under it are assembled the bone and sinew of the keystone state."

A new *Muhlenberg* paper is about to be published at Harrisburgh, edited by Jacob Umstead, assisted by *John C. Bucher*.

The *Pennsylvanian* of the 26th says—

The office holding organs are particularly fond of stigmatizing the Muhlenberg delegates from the city and county of Philadelphia, as "*bullies*"—one goes so far as to term "*cut throats*." Language like this will not advance their cause. It should, however, be remembered.

CONSTRUCTION OF A LAW.

ORDER, NO. 14. } *Head quarters of the army, Adjutant general's office, Washington, March* 14, 1835.

The following communication has been received from the war department, and is published for the information of all concerned.

Department of war, March, 3, 1835.

The proviso in the act of congress, passed March 3, 1835, entitled "an act making additional appropriations for the Delaware breakwater, and for certain harbors, and removing obstructions in and at the mouths of certain rivers, for the year one thousand eight hundred and thirty-five," and which prohibits the allowance of extra compensation to officers of the army, has been submitted to the attorney general for his opinion, and

that officer has decided that it extends to, and prohibits the allowance of all extra compensation, of every kind whatsoever, for which provision is not made by law. Hereafter no such extra compensation will be allowed.

This prohibition took effect from the date of the passage of the law, and extends to the following cases:

Per diem to officers on bureau duty.

Per diem to officers in charge of working parties.

Per diem to the secretary of the military board.

Per diem to engineer officers, for disbursing public money.

Per diem to the assistant engineer at the Delaware break water.

Per diem to the members of the medical board.

Per centage to topographical officers disbursing in the field.

Monthly allowance, or per centage to officers of the line temporarily performing staff duties.

Per centage to officers for disbursing funds not properly appertaining to their department.

Allowance to the medical officers purchasing supplies for the medical service.

Per centage to military storekeepers for disbursements.

Compensation to officers on duty connected with the removal of the Indians, except their actual travelling expenses, which are allowed by the act of June 30th, 1834, entitled "an act to provide for the organization of the Indian affairs."

Allowance to the officers disbursing money at the seat of government, under the regulation of the war department of May 31st, 1833.

Extra compensation to the assistant surgeon for attending laborers on the works at Hampton Roads.

Allowance to the officer acting as adjutant at the military academy.

Allowance to the officer acting professor of chemistry at the military academy.

These cases are enumerated for the information of the army, and embrace all the extra allowances which have been reported to this department, in answer to the inquiries which have been made. It is possible, however, that some may have been omitted, and the enumeration will not, therefore, be considered as sanctioning the allowance of any claim, because it is not herein expressly provided for. But the construction of the act will apply so as to prevent the granting of any extra compensation of any nature whatever, unless expressly authorised by law.

The attorney general has decided, that the general clause in the above proviso will render illegal the allowance of any per centage or compensation for disbursing appropriations, made previous to, as well as during the last session of congress.

LEWIS CASS.

By order of *Alexander Macomb*, major general, commander-in-chief. ROGER JONES, *adjutant general.*

LEGISLATURE OF PENNSYLVANIA.

Extracts from the speech of Mr. Lacock.

FROM THE PENNSYLVANIA INQUIRER.

[The state debt, at the close of the present year, will be found in round numbers about 25,000,000 dollars—the interest of which will amount to upwards of a *million of dollars*. Add to this the current expenses of the government, former appropriations, and other liabilities chargeable upon the government, and the yearly demands upon the treasury will amount to little less than 2,000,000 dollars, to raise which sum, according to Mr. Lacock, the taxes must be increased at least three hundred thousand dollars? Under these circumstances, and with little prospect of immediate relief, the majority of the legislature have thought proper to reject the proposition of Mr. L. Of course they are responsible for this decision to the people—but in order to understand the case, the people should be in possession of all the facts that have a bearing upon it. It is therefore that we invite attention to the extracts below:]

The quantity of land belonging to the United States, by the last official returns made by the secretary of the treasury, was 1,090,773,753 acres of land. Take Pennsylvania in population, at one-ninth of the federal union, and her share would be 121,111,111 acres, or near 1,000 acres of land to each individual in the state, and this land, if sold at $1 25 per acre, the lowest price at which the public land has been sold, would give to the people of Pennsylvania or her treasury, more than $141,000,000. Mr. L. said he had made these calculations and estimates, that they were facts that none would deny, to show the immense magnitude and value of the claim of the state of Pennsylvania, upon the U. States, as to her just proportion of the proceeds of the sales of the public lands. He was not in favor, nor had he ever been, of dividing the public lands, and giving each state the right of selling those lands at what price and at what times they might think proper, or their respective portions of the public domain. Such a system would lead to incalculable discord, rivalship and confusion among the states concerned, retarding and embarrassing the settlement and population of the new states. These evils would all be avoided by pursuing the present system, established by congress; and when the money arising from the sales was collected, a fair and just distribution of the amount would be made among the respective states. From the estimates made by the secretary of the treasury, it appears that the proceeds of the sales for the current year will be $3,500,000. The distributive share of this sum, due to this state, would be $388,888 for the present year, and this sum would be annually increasing, as the feelings of migration increased, and the tide of emigration rolled on to the west; nor would two years pass away until the dividends of Pennsylvania would amount to more than half a million of dollars per annum.

* * * * * * *

This, said Mr. L. is a brief, but he believed faithful history of the public lands, so far as we derived a right to them by cession from the individual states. But a great portion, and the largest portion of the public lands now the property of the United States, were acquired by purchase, and for which a valuable consideration was paid out of the treasury of the United States. From the state of Georgia and the governments of France and Spain, were purchased the lands now comprehended in the states of Alabama and Mississippi, the territory of Florida, the state of Louisiana, the Arkansas territory, and the state of Missouri, with the immense territory that lies south of the Mississippi river. The acquisition of the country designated, (comprehending the original purchase money, the interest upon the stocks created, and incidental charges) cost about 24,000,000 of dollars, and of this sum Pennsylvania had paid at least 3,000,000 of dollars, as her proportion of the charge upon the U. States, and what had Pennsylvania got from this source in return for her services and sufferings in the revolution, and for her money since paid into the public treasury? There has, said Mr. L. been distributed to other states between 11 and 12 millions of acres of land, for their special benefit—but not a single acre nor even a rod square to Pennsylvania. Far different was the conduct of the United States to us when we wanted her land, we had to buy it at a dear rate. To give Pennsylvania a harbor and front upon the lake, it became necessary to purchase the triangle on Lake Erie, ceded by the state of New York to the United States. For this tract of land, about half a million of acres, this state paid the United States 75 cents per acre, or about the round sum of 375,000 dollars. When the state of Connecticut ceded her back lands to the United States, she reserved what is now called the Connecticut reserve, a large tract of country lying adjoining, and west of Pennsylvania. This land was afterwards sold by that state at near a dollar an acre, and has constituted a school fund, the interest of which is said to be sufficient to educate every child in the state forever.

Yet notwithstanding the ample means of that state to promote education, a few years since she received a grant from congress of a township of land, 230,400 acres, worth, it is said, more than $200,000, in aid of the state in the establishment of an institution for the education of the deaf, dumb and blind. These were benevolent and charitable institutions, and should be encouraged; but was deafness and blindness confined to the state of Connecticut? Had not Pennsylvania her proportion of unfortunate individuals thus afflicted? This state has long contributed pretty largely from her treasury, to support the asylum for the deaf and dumb in Philadelphia, and last session more than 60,000 dollars were appropriated to support an institution for the instruction of the blind. But the state of Pennsylvania never received a foot of land or a single dollar in money, for any such purpose, from the United States.

It was, said Mr. L. the unjust and unequal distribution of the public bounty of which Pennsylvania had just cause to complain, and he was surprised to find the gentlemen in opposition declaring "that it would be degrading and dishonorable for the great and powerful state of Pennsylvania, ample in resources, to ask a boon, or beg favors of the general government to promote education, or complete her improvements. This was not the fact, Mr. L. said, Pennsylvania craved no favor, nor did she ask a boon of congress. She demanded of the United States, her own money, a fair and honest dividend of the profits arising from the investment of capital in the common stock.

* * * * * * * *

The president having vetoed the land bill, and by his irresistible mandate prohibited the distribution of the money among the states arising from the sales, he proposes in the same message, to give away to the new states where they be situated, the public lands, or in other words reduce the price of land so that the sum charged, should just pay the surveying and land office expenses; and this would not exceed 10 or perhaps 12 cents per acre. Never was a scheme fraught with more injustice, mischief and ruin than this. Who so blind as not to see, that if the price of lands in the state of Ohio, and in the western states, were reduced, a corresponding reduction in price, would be the consequence in Pennsylvania, particularly in the west. If lands in the state of Ohio, were sold for 50 cents per acre, no man would give a higher price for land of equal quality in Pennsylvania. And the lands in the new states are of much superior quality to a great portion of the lands in Pennsylvania and were the plan proposed by the president, adopted, thousands of farmers who own the poorer lands would either sell for what they could get, or abandon them with a view of getting land for little or nothing in the new states; and thus many parts of the state would be nearly depopulated. And if the measure as proposed was carried out, Mr. L. said, he had no doubt it would reduce the value of the landed property of western Pennsylvania one half; and what corresponding advantages would society derive from thus sacrificing the farmers and agriculturists of the country? When public lands are put into the market at a very low rate, they never fail to fall into the hands of monopolists and rapacious speculators, who amass immense and princely fortunes, at the expense of the honest cultivator of the soil, who buys the land second hand from them, and thus the value of the lands at a fair but moderate price, that of right belongs to the people at large, goes to enrich and pamper a few individuals, "to make the rich richer and the poor poorer."

And will not Pennsylvania, with a debt of $25,000,000 lying heavy upon her, the value of her lands, reduced perhaps 50 per cent. robbed of her share of the public domain, worth more than $100,000,000, be made "poor indeed." And of all the heavy inflictions received by Pennsylvania from the same ungrateful hand, this would be the most cruel and the most ruinous.

IMPORTANT TO MERCHANTS.

An act in amendment of the acts for the punishment of offences against the United States.

Be it enacted, &c. That if any one or more of the crew of any American ship or vessel on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the U. States, shall unlawfully, wilfully, and with force, or by fraud, threats, or other intimidations, usurp the command of such ship or vessel from the master or other lawful commanding officer thereof, or deprive him of his authority and command on board thereof, or resist or prevent him in the free and lawful exercise thereof, or transfer such authority and command to any other person not lawfully entitled thereto, every such person so offending, his aiders or abettors, shall be deemed guilty of a revolt, or mutiny and felony; and shall, on conviction thereof, be punished by fine not exceeding two thousand dollars; and by imprisonment and confinement to hard labor not exceeding ten years, according to the nature and aggravation of the offence. And the offence of making a revolt in a ship, which now is, under and in virtue of the eighth section of the act of congress, passed the thirtieth day of April, in the year of our Lord one thousand seven hundred and ninety, punishable as a capital offence, shall, from and after the passage of the present act, be no longer punishable as a capital offence, but shall be punished in the manner prescribed in the present act, and not otherwise.

Sec. 2. *And be it further enacted*, That if any one or more of the crew of any American ship or vessel on the high seas, or any other waters within the admiralty and maritime jurisdiction of the United States, shall endeavor to make a revolt or mutiny on board such ship or vessel, or shall combine, conspire, or confederate with any other person or persons on board to make such revolt or mutiny, or shall solicit, incite, or stir up any other or others of the crew to disobey or resist the lawful orders of the master, or other officer of such ship or vessel, or to refuse or neglect their proper duty on board thereof, or to betray their proper trust therein, or shall assemble with others in a tumultuous and mutinous manner, or make a riot on board thereof, or shall unlawfully confine the master, or other commanding officer thereof, every such person so offending shall, on conviction thereof, be punished by fine not exceeding one thousand dollars, or by imprisonment not exceeding five years, or by both, according to the nature and aggravation of the offence.

Sec. 3. *And be it further enacted*, That if any master or other officer, of any American ship or vessel on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, shall, from malice, hatred, or revenge, and without justifiable cause, beat, wound, or imprison, any one or more of the crew of such ship or vessel, or withhold from them suitable food and nourishment, or inflict upon them any cruel and unusual punishment, every such person so offending shall, on conviction thereof, be punished by fine, not exceeding one thousand dollars, or by imprisonment not exceeding five years, or by both, according to the nature and aggravation of the offence.

Sec. 4. *And be it further enacted*, That whenever any person indicted for any offence against the United States, whether capital or otherwise, shall upon his arraignment stand mute, or will not plead or answer thereto, it shall be the duty of the court to enter the plea of not guilty on his behalf, in the same manner as if he had pleaded not guilty thereto. And when the party shall plead not guilty, or such plea shall be entered as aforesaid, the cause shall be deemed at issue, and shall, without farther form or ceremony, be tried by a jury. And in all trials in capital cases, if the party indicted shall peremptorily challenge above the number of jurors allowed by law, such excess of challenges shall be disallowed by the court, and the cause shall proceed for trial in the same manner as if the same challenges had not been made.

Sec. 5. *And be it further enacted*, That whenever any person shall be convicted of any offence against the United States which is punishable by fine and imprisonment, or by either, it shall be lawful for the court by which the sentence is passed, to order the sentence to be executed in any house of correction, or house of reformation for juvenile delinquents within the state or district where such court is holden, the use of which shall be allowed and authorised by the legislature of the state for such purpose. And the expenses attendant upon the execution of such sentence shall be paid by the United States.

Approved: March 3d, 1835.

THE BOUNDARY QUESTION.

IN THE HOUSE OF REPRESENTATIVES, FEB. 9.

The house went into committee of the whole on the bill to establish the territorial government of Wisconsin, and the question being on fixing the southern boundary of said territory. [The bill provided that the southern boundary of the territory should be the northern boundary of the state of Illinois, without specifying where the boundary was.]

Mr. *Reynolds* moved the following amendment, to wit: "On the south by latitude forty-two degrees and thirty minutes north, which is the northern boundary of the state of Illinois."

Mr. J. Q. *Adams* rose and said, he did not rise to make an argument, but, before the question on this amendment was taken, he would call the attention of the house to the relative position of the two parties interested in this subject. On the one side, said Mr. A. there are twenty nine members of this house personally and deeply interested: every one of them having the power of speech, as they have fully shown, and every one having a vote on this question. On the other side, there is one territory with a single delegate, (to whose zeal, energy and fidelity, on all occasions when the rights and interests of that territory are affected, I can bear cordial testimony); and another territory that is to come, without voice or vote at all. I wish that this house, before a decision is pronounced, would take this relative position of the parties into their most serious consideration; and I make the request with the more emphasis, because there is a question deeper than that of twenty-nine members against a single delegate, involved in the issue of this matter—and that is, the faith of the nation. On the one side, then, there are twenty nine members of the house; and on the other, a single delegate and the faith of the nation.

Sir, the origin of this question goes back to the ordinance for the government of the territory of the United States, northwest of the river Ohio; that ordinance which is the foundation of all these states; of these three states which have their twenty nine members in this house, and of these two territories which may, and, I hope, will have more than twenty nine members to represent them upon this same floor. At this time I cannot go into the subject in all its details; the debate has been protracted; the house is impatient for the question, and all I wish, before it shall be definitively taken, is that the house may understand all that is involved in it. I refer, therefore, solely to that which contains the essence of this question; that is to say, the 5th article of the fundamental articles, which were established by the congress which framed the ordinance for the government of the territory north west of the river Ohio—and which is in the following words:

"*It is hereby ordained and declared by the authority aforesaid*, That the following articles shall be considered as articles of compact between the original states, and the people and states in the said territory, and forever remain unalterable, unless by common consent."

Here, continued Mr. A. is the constitution of the north western territory; a compact made between the original thirteen states of this union, and the people and the states, which were to be formed in consequence of this ordinance. Well, sir, one of these articles is as follows: it is rather long, but I am afraid I shall be obliged to read it, in order to put every member of this house in possession of the real question which is to be decided, and to shew that in that question the faith of this nation is involved:

"Article 5. There shall be formed in the said territory, not less than three nor more than five states; and the boundary of the states, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: the western state in the said territory, shall be bounded by the Mississippi, the Ohio, and Wabash rivers; a direct line drawn from the Wabash and Port St. Vincent's due north to the territorial line between the United States and Canada; and by the said territorial line to the lake of the Woods and Mississippi. The middle state shall be bounded by the said direct line, the Wabash from Port St. Vincent's to the Ohio; by the Ohio, by a direct line, drawn due north from the mouth of the Great Miami, to the said territorial line, and by the said territorial line. The eastern state shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line. *Provided, however*, and it is further understood and declared, That the boundaries of these three states shall be subject so far to be altered, that, if congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of the said territory which lies north of AN EAST AND WEST LINE DRAWN THROUGH THE SOUTHERLY BEND OR EXTREME OF LAKE MICHIGAN."

Mr. A. continued: These are the terms of the compact—a compact as binding as any that was ever ratified by God in heaven.

The further provision is for the admission of these states into the union at the proper time. I pass that over, because it has no reference to the question now at issue before the house. I pass over, also, the laws which have been enacted by congress from that time to the present—and the question, whether congress has, by its subsequent acts, violated this provision. I appeal to it now, in order to say that it cannot be annulled; that it is firm as the world, immutable as eternal justice; and I call upon every member of this house to defend it with his voice and his vote—and to sustain the plighted faith of this nation—of the thirteen original states by which the compact was made.

In the year 1805, the territory of Michigan was formed by law, and the southern line of the territory is identical with these words of the provision, "an east and west line drawn through the southerly bend or extreme of Lake Michigan." And what do these 29 members ask congress to do? They call upon you to repeal this provision, to declare that it is not binding; to say that this shall not be the line, and to establish a different one. And why? Because it suits their convenience, and the convenience

of their states that the line should be altered. As regards the state of Ohio, she tells you that an alteration has been made in the constitution, and that congress had assented to it once; but she asks you again to signify your assent, because she does not think that it has been done with sufficient certainty, and she is desirous of having additional security by eliciting another expression of your concurrence. This was the original question which was reported on by the committee of this house, and the question was raised simply between Ohio, with her 19 members, and this unfortunate territory of Michigan, with her solitary delegate, and the future state with no delegate at all.

But when the bill was to be carried through another place, then the idea was conjured up that it would affect the states of Indiana and Illinois. For what reason was this idea suggested? I know of none, unless it was to get votes in the other branch of the legislature. It did get votes, and the bill from the senate came with two additional sections added to it at its last stage in the senate, and purporting to fix the boundaries of the states of Indiana and Illinois, as well as the northern boundary of the state of Ohio. In that state the bill was referred to a select committee of this house, and it was the pleasure of the speaker, in the exercise of his regular authority, to place me upon that committee, an assignment altogether unexpected to me, but which made it my duty, however painful might be its execution, to examine the question minutely, critically, in all its bearings, and not as a mere question of convenience as to what should be the boundary line of Ohio, Indiana or Illinois—to suit whose convenience I would do every thing but sacrifice justice—every thing but compromise the rights, the interests, and the honor of other parts of this union. Sir, *I did* examine it; and I now ask the members of this house to look fairly into the question, and they will find the real question to be that which I have stated. It is true that the boundary of Indiana and Illinois has been formed by congress, without knowing, as I believe, what they were doing, or what principles were involved; and if this question does not come to the arbitrament of the sword, as has been intimated by the member from Illinois,* who says that the people of Illinois will not suffer their boundary line to be touched—all I ask, and all that the people of the two territories ask, is, that you will not touch the line at all—that congress will no more commit itself. There is no necessity for it. If they have committed an error in establishing a new boundary, drawn from a territory which has no one to represent its interests, let them be satisfied with the evil they have done, and not repeat it now, when they know what is involved in the question.

The question as between the territory of Ouisconsin, (if such is to be established), and the states of Indiana and Illinois, is a question of possibility which may come up at a future time. The true question now is between Michigan and Ohio; and Ohio asks you to destroy this compact, which has been declared to be unalterable, in order to have your decision that she is entitled to another boundary.

I will say no more; my sole object was to call the attention of that portion of the house which is not interested personally in the decision, to the true nature of the question which they have to determine. I will state furthermore, that there is a document (No. 354, 4th vol. of the proceedings of the last session of congress), in which may be found the whole subject before the house, together with the arguments, ably made, by the gentleman from Ohio, on the one side, and the delegate of Michigan territory, on the other. There will also be found the remonstrance of the governor of Michigan, claiming this right, and shewing the title of that territory in a manner so convincing, that, if members will read it, and the other documents to which I have referred, intently, and with a single view to the question which they have to decide, as to the rights of the respective parties, and whether the public faith is or is not inviolably pledged, I believe all further debate will be unnecessary.

Mr. *Binney* said, that he felt reluctant to detain the committee at so late an hour, with any remarks of his upon the question of boundary, on which the debate had for some time turned; but he regarded that question as one of the very first moment, not only to the states immediately concerned, but to the union; and he, therefore, thought that a few minutes more might be profitably given to it. As a member of the committee, to whom had been referred the bill from the senate establishing the boundary line of Ohio, Indiana and Illinois, it had been his duty to examine this question, and he had examined it not only with all the attention that was due to a question of such a nature, and with such consequences depending upon it, but with the benefit of able and elaborate arguments, both oral and written, by the delegate from Michigan, (Mr. *Lyon*), and by one of the representatives from Ohio, (Mr. *Vinton*), and although he had gone into the examination without the slightest perceptible bias towards either conclusion, he felt it his duty to say, that his inquiries had resulted in a firm conviction that the ordinance of 1787 did not offer any impediment whatever to the establishment of the northern boundary line of Ohio, as the bill from the senate had established it, and as the people of that state in their constitution had declared, that in a certain contingency it should, with the assent of congress, be established; namely, by a direct line running from the southern extremity of Lake Michigan to the most northerly cape of Mawmee bay. This opinion, deliberately formed after patient and impartial inquiry, he was prepared to defend whenever the question of that boundary should be directly presented, though always he hoped, with becoming respect for the opinions of those who might differ from him. He had no conceivable interest in the decision of the question one way or the other, except that which he had in common with every citizen in the country, all of whom must be interested in its being settled by the application of the just authority of congress, and in such a way as to secure the peace and prosperity of the states immediately concerned.

The amendment proposed by the gentleman from Illinois, though it involved most of the principles, did not (Mr. B. said) bring up the whole question of the northern boundary of Ohio, and therefore he would not particularly enter into it at the present time; but he deemed it proper, for the purpose of avoiding misapprehension, now to say, that he did not mean to discuss it upon the hypothesis of the gentleman from Ohio, (Mr. *Hamer*) that the ordinance of 1787 was an ordinary act of legislation, as susceptible of alteration as any other act of congress. He must say, that the present inclination of his mind, was to regard it otherwise; and, at all events, it was his intention to give to those who denied the authority of congress to comprehend within the limits of Ohio any territory north of an east and west line, drawn through the southerly extreme of Lake Michigan, the benefit of the concession, that the ordinance of 1787 was a compact, and an obligatory compact, restricting the power of congress to the whole extent of its fair meaning. The question, nevertheless, arose, and must be decided by the ordinary rules of interpretation, what was that meaning, and what was the authority of congress according to it? And, until that meaning should be shown, to restrain congress from passing the bill which had come from the senate, it seemed to him to be a little premature to talk of the public faith, or of sustaining the pledged faith of the nation. If congress had the power by the ordinance of 1787 to include within the states of Ohio, Indiana and Illinois, respectively, any portion of the territory north of the east and west line referred to, then the case of public faith, or of pledged faith, did not arise; and to put forward the objection of public faith, without a previous interpretation of the ordinance, was, therefore, to beg the question altogether.

For himself, Mr. B. said, he did not regard the east and west line referred to in the ordinance, as being, by any rule of construction whatever, a necessary boundary line between the lower states on the Ohio river, and the one or two states which congress had authority to form in the northern part of what was called the North Western territory. It was not called a boundary line in any part of the fifth article. It wanted the usual and almost necessary characters of a boundary, since it had neither beginning nor ending, but was a mere parallel of latitude. It had never been regarded as a boundary line in a single act of congress, not even in the act erecting the territory of Michigan; for here also there was a misapprehension, which it was easy to correct. It was only partially a boundary in regard to that territory; whereas, if the ordinance made the line a necessary boundary, it should have been wholly so, even to the exclusion from Ohio of parts of three of her counties on Lake Erie, which confessedly were north of that east and west line, and which, nevertheless, the territory of Michigan had no pretensions whatever to include within her boundaries. If it was a necessary boundary line, the ordinance was an act of the most extraordinary legislation that the history of congress presented; for whatever might be the motives to the contrary, and there were no conceivable motives that were not opposed to it, it confined the states of Indiana and Illinois to the very edge of Lake Michigan, denying to both of them authority to build a pier into it, for the accommodation of their own shores, and the right of executing process upon any one who could step into its waters. The history of the ordinance was opposed to such a construction; and to adopt it, would be to hold that the imperfect knowledge of the country, the very ground on which congress recommended Virginia so to revise her cession, as to empower them to divide the territory as the situation of the country and future circumstances might require, was utterly disregarded in the ordinance, and all future knowledge made unavailing, by the establishment of an impassable boundary, the worst too that could in any event be adopted.

The east and west line referred to, was not, in his judgment, prescribed as a boundary line at all, between the contingent state or states in the north, and three states below; nor was it introduced even as a limitation of the power of congress, for the sake of persons above, for there were none then to be considered; nor of states above, for they were contingent, and barely possible; but it was a limitation, introduced, as he conceived, for the protection of the states below, and to prevent, under any circumstances, a further diminution of the territory originally allotted to them. The ordinance intended to give congress the discretionary power of forming one or two states in any part of the territory north of that line, and to restrain them from abridging the territory of the three states established by the ordinance, by coming to any extent whatever south of it. The northern territory, down to that line, was wholly open to the power of congress to erect one or two states in any part of it; and so much of the southern territory as came up to the same limit, was wholly withdrawn from their power. Congress might, consequently, at their discretion, refrain from coming

*Mr. *May*, the member alluded to by Mr. A. was understood by the reporter to make use of this expression. He subsequently, however, stated to the house that Mr. A. had misunderstood him, and that he intended simply to observe, and he believed he did so observe, that the state of Illinois would not sit quietly down and see its territory taken away, or words to that effect.

down to the line in the formation of a new state or states, while under no circumstances could they pass it. It was a limit to the exercise of discretion or power by congress, in that part of the territory where discretion was given; but not a necessary bounding to the states north or south. All this would be made more apparent, upon a full examination of the ordinance; and it was the construction that had been carried out into every act of congress, from that day to the present.

The amendment proposed by the gentleman from Illinois was, in his opinion, not only proper, but indispensable. The bill establishing the territory of Wisconsin, was so drawn by accident or design, as to leave the northern boundary of Illinois open to contest by that territory, and to expose Indiana also to future contest for her northern boundary with Michigan, when she should become a state, notwithstanding acts of congress had fixed those boundaries in a manner the most precise and certain. The northern boundary of Illinois, by the act of 18th April, 1818, was the parallel of forty two degrees thirty minutes north, from the middle of lake Michigan west to the Mississippi river. The northern boundary of Indiana was, by the act of 19th April, 1816, an east and west line drawn through a point ten miles north of the southern extreme of lake Michigan. The bill in committee was so drawn as to say nothing of the precise latitude of the one, or of the distance in miles of the other, from the southern extreme of Lake Michigan. It spoke of the southern limits of Wisconsin in precisely that way which would give to her inhabitants a pretext for raising the question whether the east and west line of the ordinance, or the line in the act of congress was the true boundary, and thus of embroiling the state of Illinois in a civil war, for the maintenance of territory and jurisdiction. No one could suppose that the state of Illinois would surrender to Wisconsin a most valuable part of her territory and population, placed under the control of her laws by the act which admitted her into the union. If gentlemen argued, that congress had no right to extend that state so far north, being restrained by the ordinance, the answer was, that congress had full power to give to the territory of Wisconsin what boundaries they thought fit, and that it was against the plainest suggestions of wisdom to give it a boundary which should lead to a conflict with a state whose boundaries had been previously fixed by congress. The gentleman from Georgia, (Mr. *Gamble*), had no doubt that congress had fixed the boundaries of Illinois lawfully, and according to her authority under the ordinance, and therefore, was of opinion, that there was no necessity for the proposed amendment. If every body thought with him, his conclusion might be a safe one; but other gentlemen thought otherwise, and, therefore, it was not safe. Congress ought, to the extent of her power, to stop these contests, which were beginning to disturb the peace and security of that section of the union. They had, in this instance, the undoubted power, and should exercise it. They had it, in his opinion, in relation to Ohio and Michigan also, and for the same reason ought to exercise it. If they deemed it expedient that Ohio should have the boundary established by the bill from the senate, they ought to establish it, even if they doubted their power under the ordinance; for if they should transcend their power, the judicial authority of the union would be competent to redress the injury to Michigan, when she should be admitted into the union. The question would be, then, a purely judicial question. But if congress refused to establish it, under an erroneous doubt of their power, Ohio might inevitably lose the territory, though the arguments of her representative were right, and Michigan gain it, though her's were all wrong. The difference in the number of representatives on this floor, by whom the interests of the contending parties were guarded, ought in no way to affect the question. The house would judge for all, and should preserve the peace of all, to the extent of its power. It should do this, notwithstanding the warmest obtestations to the house to sustain the pledged faith of the nation. When it should be established that the faith of the nation restrained the action of congress, he would be the last man in the house to disregard the restraint. He, however, held himself ready, whenever the occasion should present, to give his reasons for the opinion he held, that the faith of the nation in no way whatever prevented congress from doing what the bill from the senate proposed to do for establishing the boundary of Ohio.

SPEECH OF JOSEPH KENT, OF MD.

In support of an amendment to the constitution to restrain the veto power of the president of the United States. Delivered in the senate of the United States, on the 20th of Feb. 1835.

The following resolution being under consideration:

Resolved, by the senate and house of representatives of the U. States of America, in congress assembled, (two-thirds of both houses concurring), That the following article be proposed to the legislatures of the several states, as an amendment to the constitution of the United States, which, when ratified by three-fourths of the said legislatures, shall be valid as part of the constitution:

When a bill, which, having passed the senate and house of representatives, shall be returned by the president of the U. States, with his objections, upon the re consideration thereof, a majority of all members elected to each house shall again pass such bill, notwithstanding the objections of the president, it shall become a law; and the requisition of two-thirds in such case, according to the existing constitution, is revoked.

Mr. Kent addressed the chair as follows:

Mr. *President:* I should not, at this late period of the session, have requested the senate to consider the amendment I have submitted, important as I consider it, were it not closely connected with the subject under debate.

Cautious and reluctant as I would be, at all times, in any attempt unnecessarily to alter or amend the constitution or frame of government under which we live, which I trust will long be the pride of our country and the admiration of the world, I find myself compelled, notwithstanding, to propose the modification embraced by the resolution, by considerations which, as a public man, I cannot resist.

No one can venerate more than I do that instrument; nor is there one who would more readily render a willing homage to the wisdom, virtue and patriotism of its illustrious authors; but I owe still greater veneration to the principles which gave existence to the work of their hands, and, while cherishing the constitution, I cherish still more the liberties of the country.

In our endeavors to adjust the delicate springs by which the complicated movements of government are performed, there was always ground to apprehend that, in avoiding one danger, we might rush upon another, and thereby multiply the evils which we design to remedy.

But if warned, by suggestions like these, from unnecessary innovations, or precipitate amendments, it is surely not the part of wisdom to reject the admonitions of experience, to shut our eyes against dangers both palpable and appalling, to neglect every defence which patriotism might use against the approach of despotism, and to sacrifice the vital principles of the constitution, by too closely adhering to its original language, regardless of its spirit, or the practice under it.

Among the practical lessons which have been taught us by the illustrious men who framed the constitution, there is none more important than that which disclaims all pretence to infallibility, submits the constitution to the test of experience, opens it to future amendment, and confides its preservation and improvement to the wisdom and virtue of succeeding generations.

Sir, they knew full well that the work which they had formed was but a great experiment; they knew it could endure only while cherished by the principles from which it sprang. However admirable in its construction, symmetrical in its parts, they were far from indulging in the presumptuous thought that time and experience, those unerring tests of human actions, would not reveal some latent defect; and whilst interposing obstacles to ill-judged innovations, they left to posterity the power to add new guards to the constitution, and to accommodate its provisions to future exigencies as they should arise.

With these views, Mr. President, in proposing the amendment which I had the honor to submit, I conceived I only acted in the spirit of the constitution, impelled by no other considerations than those which I trust will forever influence the friends of American freedom. I looked far beyond and above the ephemeral party divisions of the day, and was willing, if more acceptable to the senate, to give to the resolution a prospective operation, and thereby avoid all offensive application of it. I considered only the prerogatives claimed, and the dangers with which we were beset, and sincerely believed that the proposition on the table was the very one which the framers of the constitution would have adopted in the place of the existing provision, could they have foreseen the more than royal pretensions recently set up, or anticipated the executive action for the last five or six years.

Permit me now, Mr. President, to advert to some of those considerations which, in my judgment, recommend the adoption of the amendment, which an imperious sense of duty alone has prompted me to submit.

The veto power, as exercised at present, tends to unite the legislative and executive powers, than which nothing could be more dangerous to the liberties of the country. I presume it may be asserted, as a fundamental principle in the science of government which admits of no doubt, that, in all free governments, where the rights of man are recognised, and liberty is cherished, the legislative, executive and judicial powers should be lodged in different hands, at least as far as practicable, and that their concentration in the same hands would constitute the essence of despotism, and lead to intolerable oppression.

History is replete with examples to this effect, many of which I have selected; but I shall forbear to fatigue the senate with referring to them at this time, and shall only remark that Mr. Madison, justly styled the "surviving father of the constitution," has said that "no political truth is certainly of more intrinsic value than the political axiom, that the legislative, executive and judicial department ought to be seperate and distinct; and that the accumulation of all powers, legislative, executive and judicial, in the same hands, whether of one, of few, or of many, and whether hereditary, self appointed, or elective, may be justly pronounced the very definition of tyranny;" and this sentiment is fully maintained by the judicious Polybius, in his review of the Roman constitution, in which he distinctly ascribes the existence of liberty to the appropriation of distinct and separate powers to the senate, the consuls, and the people; and he clearly foresaw the termination of the republic, and the loss of liberty consequent on the destruction of the equilibrium of the constitution.

Of these powers, thus assigned to different departments, the distribution of which is considered indispensable to the existence of liberty under any form of government, the most important, beyond all doubt, is that of the legislative, which it is my

object to endeavor to preserve, and to secure against executive encroachment.

It is a principle, not less universally admitted than that which enjoins the separation of the legislative, executive and judicial powers, that the law making power must be retained by the people, and should be exercised by representatives chosen for the purpose, and periodically responsible for the faithful discharge of their duty. If the power to make laws which, of course, includes the power of taxation, should once be permitted to pass from the hands of the people into any other department, or into the hands of an individual wielding the self-protecting patronage of the government, or in any way shielded from popular control, it is easy to foresee that the first step in legislative assumption would be to perpetuate the power thus acquired, and that every successive act would be one of encroachment and oppression.

This sentiment was boldly asserted and firmly maintained by our patriotic ancestors, when they avowed that the legislative power of America could not be exercised by a British parliament, and that the duly authorised delegates of the people could alone enact laws by which the people could be bound. Not only is it true, sir, as an abstract principle, that the law-making power belongs to the people, and can only be exercised by their immediate representatives; it is, fortunately, a principle embodied in the constitution of our country. In the first section of the first article it is declared that "all legislative powers, herein granted, shall be vested in a congress of the United States, which shall consist of a senate and house of representatives."

This senate and house of representatives, in which all the legislative powers of the government are exclusively vested, are the delegates or agents of the people, chosen immediately by them, or through the instrumentality of the legislatures of the several states, for the sole purpose of making laws. They, and they only, are authorised to make them.

Whether, then, we consider the nature of the legislative power, as expressive of the general will of the whole community, or the provisions of the constitution, it is manifest that the whole law-making power is vested in the senate and house of representatives alone; and no president of the United States is justifiable in interfering with this power further than to secure himself against encroachments upon executive privileges, evidently bestowed upon him by the constitution, or to guard the country against the consequences of inconsiderate, precipitate or corrupt legislation. In England, where the king is a part of the parliament, and exercises legislative power, the laws are headed as follows:

"Be it therefore enacted by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same."

In the United States, where congress alone exercises legislative powers, and the president is only authorised to defend himself against encroachments upon his rightful powers, the laws are headed:

"Be it enacted by the senate and house of representatives of the United States of America in congress assembled."

Why, then, it may be asked, was the assent of the president required to all acts, except those passed by two-thirds of the legislative body? The answer is obvious to all who will take the trouble to consult the contemporaneous expositions of the constitution, and the early practice of the government in reference to the exercise of this power. The power thus granted to the executive was not intended to be active, but defensive; it was not intended to give him any participation in the legislative power, but merely to preserve the executive department from legislative encroachments, and, as before observed, to guard the country against the effect of inadvertent legislation. It was never supposed that any executive, in a popular government, would attempt to restrain the general will of the community, expressed by the representatives of the people, clothed exclusively with power to declare that will upon matters of mere expediency, in which no executive power was impinged, in which no constitutional question was involved.

In the most able contemporaneous defence of the constitution, the qualified negative upon bills passed by congress was defended solely on the ground of its being a preventive against legislative encroachment upon executive functions.

The first practical exposition of this power will be found in an official opinion given by Mr. Jefferson to president Washington, in less than two years after the government went into operation; Mr. J. being then secretary of state. It was given when the first bill was passed granting a charter to the bank of the United States. I will give only the closing sentence of this opinion. He remarks: "It must be added, however, that, unless the president's mind, on a view of every thing which is urged for and against this bill, is tolerably clear that it is authorised by the constitution; if the *pro* and *con* hang so as to balance his judgment, a just respect for the wisdom of the legislature would naturally decide the balance in favor of their opinion. It is chiefly for cases where they are clearly misled by error, ambition or interest, that the constitution has placed a check, in the negative of the president."

This opinion of Mr. Jefferson covers the whole ground for which I contend, namely, the supremacy of the legislative department of the government, as expressive of the will of the community. Let it be remembered that Mr. Jefferson practised upon the principles expressed in this opinion. He approved a supplemental bill to the charter of the bank of the Unit States, thereby yielding up his constitutional scruples to t will of the legislature.

Mr. Jefferson never exercised the veto power during the eig years of his presidential service; neither did the elder nor t younger Adams.

"The primary inducement," says Mr. Madison, "in confe ring the veto power upon the executive, is to enable him to d fend himself. Indeed, even in England, where the king is co sidered a part of the parliament, and, therefore, possessing share of legislative power, the royal negative would only permitted in cases where encroachments were attempted up the royal prerogative." He therefore infers, "*a fortiori*," th in the United States, where the president is expressly exclud from any share in the legislative power, the president's neg tive would never be permitted by a nation of freemen, exce in cases where manifest encroachments were attempted up presidential rights and duties, or where the negative was quired to preserve the constitution from violation.

Blackstone, in speaking of the negative power in Great B tain, remarks, that "to hinder any encroachment upon rights and authority vested in the crown, the king is himself part of the parliament; and, as this is the reason of his being very properly, therefore, the share of legislation which the co stitution has placed in the crown consists in the power of jecting, rather than resolving; for we may apply to the ro negative in this instance what Cicero observes of the negati of the Roman tribunes, that 'the crown has not the power doing wrong, but merely of preventing wrong being done.' order to guard against his interference, it is a rule, not o that the king could not send them any express propositi about laws or other subjects, but that his name should never mentioned in their deliberations."

Mr. Hamilton is more in detail upon this subject, and w he says is equally applicable in sustaining my proposition. remarks that—

"The superior weight and influence of the legislative body a free government, and the hazard to the executive in a trial strength with that body, afford a satisfactory security that negative would generally be employed with great caution; that, in its exercise, there would oftener be room for a cha of timidity than of rashness. A king of Great Britain, with his train of sovereign attributes, and with all the influence draws from a thousand sources, would at this day, hesitate put a negative upon the joint resolutions of the two house parliament. He would not fail to exert the utmost resource that influence to strangle a measure disagreeable to him, in progress to the throne, to avoid being reduced to the dilem of permitting it to take effect, or of risking the displeasure the nation by an opposition to the sense of the legislative bo Nor is it probable that he would ultimately venture to exert prerogative, but in a case of manifest propriety, or of extre necessity. All well-informed men in that kingdom will acc to the justness of the remark. A very considerable period elapsed since the negative of the crown has been exercised.

"If a magistrate so powerful, and so well fortified as a Bri monarch, would have scruples about the exercise of the po under consideration, how much greater caution may be reas ably expected in a president of the United States, clothed, the short period of four years, with the executive authority government wholly and purely republican?

"It is evident that there would be greater danger of his using his power, when necessary, than of his using it too of or too much. An argument, indeed, against its expedien has been drawn from this very source. It has been represen on this account as a power odious in appearance, useless practice. But it will not follow that, because it might rar it would never be exercised. In the case for which it is ch designed, that of an immediate attack upon the constitutio rights of the executive, or in a case in which the public was evidently and palpably sacrificed, a man of tolerable f ness would avail himself of his constitutional means of fence, and would listen to the admonitions of duty and resp sibility."

Thus, Mr. President, I have given you the opinions en tained of this power by the ablest men both in England America, all of which sustain my amendment. I will proceed to show you that if there is good reason why this p er should originally have existed in the British constitut from whence it was copied into ours without any effectual dification, we must not look to that country for any cou nance whatever, either in its use or its abuse in the Un States.

That strong reasons may be urged why this veto power sh be possessed by a king of England, that do not, and cannot, ply to the president of the United States, is beyond all doub

The king of England is an hereditary monarch; he and descendants have a deep personal interest in the governm It behooves them to see that their rights, dignities, powers prerogatives are not modified or lessened to their prejud To enable the king to maintain unimpaired those importan terests, he is made a component part of the parliament. meeting of parliament can take place without his assent. convenes and he prorogues them, either in person or by pr and, notwithstanding his participation, under the constitu of the realm, in the legislative duties of the government; withstanding the deep individual interest of himself and fa in the monarchy; and notwithstanding his possessing an a

late negative upon all laws passed by parliament, he has had good sense enough to refrain from the exercise of the odious and oppressive power since 1692. The kings of England, yielding to the influence of liberal principles, and what they believe to be due to the expression of public sentiment, through the representatives in parliament, have abstained from the use of this power for the space of one hundred and forty-two years; whilst a president of the United States, in this enlightened age disregarding the influence of those liberal principles, although our institutions are based upon them, and in defiance of public sentiment, has made the exercise of the qualified veto power, obnoxious and despotic as it is, a measure of almost every day's occurrence.

"The prerogative of the king of England embraces large powers, great privileges and ample revenues, amounting to four or five millions of dollars per annum. He can do no wrong, and in him there is no weakness or folly." Thus able writers describe him; and the absolute negative granted to him was bestowed to enable him to preserve those great immunities unimpaired, but he never finds it necessary to use it.

Very different, sir, is the condition of the president of the United States. He is only the chief executive agent, and, like us, the servant of the people, and not the less so because he occupies a somewhat higher station, elected only for four years; and, when he discharges the duties of his office with fidelity and ability, has an arduous time of it. He possesses under the constitution no inviolability of person; he has no exclusive, no personal interest in the government; no prerogative to contend for against lords and commons. His duties are plainly laid down. He has not a privilege above, or distinct from, the humblest citizen of the country. He is liable to impeachment, trial, condemnation and punishment, as well as other officers of the government; and when his period of service has expired, which heretofore on no occasion has exceeded eight years, the incumbent has retired to the walks of private life, to participate with his fellow men in the good or the evil that might befal the country.

Here, then, is a marked distinction as regards the veto power bestowed upon the executive department of the respective governments. The king of England, I repeat, has a deep exclusive personal interest in the government, which passes from him to his descendants, and which might require the exercise of the veto power to preserve it; whilst the president of the United States has no interest whatever in the government, but what he holds in common with the mass of his fellow citizens.

One advantage I admit the veto power to possess, and one only of importance, and that the amendment I propose does not disturb; in truth, there is no proper benefit resulting from it that the proposed amendment does not leave unimpaired, at the same time that it secures to the legislative body its just powers. The veto power, when judiciously exercised, is designed to cause any act of congress obnoxious to the executive to be re-examined. The reasons assigned by a president for rejecting a bill or resolution would bring in review not only all the arguments *pro* and *con* in relation to the measure that had been previously used in discussing it, but the two houses would be aided by the new light thrown upon the subject in the argument presented to them by the chief magistrate. The oftener a measure is brought under examination, the greater the diversity in the situation of those who are to examine it; the less must be the danger of those errors which flow from want of due deliberation, or which might result from the effects of faction, precipitancy, or of any impulse unfriendly to the public good. But after this review, this re-examination, this investigation for a third time of the subject, should a majority of all the members elected to either house be decidedly in favor of any measure thus acted on, I cannot consent that the public will, thus expressed through their immediate representatives, should be thwarted, should be placed at the absolute will and control of a single individual. It is admitting that a single man may possess more wisdom, more virtue, more patriotism, than shall be contained in both houses of congress. It tends to destroy all confidence in a representative government, and establishes a preference for dictatorial power; it uproots the representative system upon which our institutions are based.

Sir, from what I have said, I take it for granted, as an incontestable principle, which no citizen of the United States will be bold enough to deny, that the qualified negative of the president upon the acts of congress was granted by the constitution only for the purpose of protecting the executive authority from legislative encroachment; that it should be restricted to that object only; and that its application to any other is an abuse of power. Not many years since, Mr. President, I heard an old and experienced member of the house of representatives declare, upon the floor of that house, that the president of the United States possessed more power than the king of England, and said he was borne out in this opinion by the correspondence of Mr. Jefferson. If I am not prepared to give my full assent to this sentiment at this time, (and I am certainly now more inclined towards the opinion than formerly), I have no hesitation in believing that there is less danger to be apprehended from an attempt at encroachment by the legislative department of the government upon the executive, than of a similar attempt by the executive upon the legislative. The senate will indulge me with a few words upon this point, as it has an important bearing upon the subject before us. Let us consider, then, in the first place, the nature of those bodies to which the legislative and executive powers are confided. The legislative department is composed of many individuals, strangers to each other, with conflicting interests and views, coming from every part of the country, elected for short periods, compelled to bear, in their own persons and through their offspring, the burden of those measures they may sanction; whose personal qualities, known to their constituents, are, in some degree, a pledge for their fidelity; liable to be broken up in fragments of opposing parties by ministerial influence and executive control, who never can be brought to act in concert against the persuasions, the influence and the patronage of any executive, except by the weight of some impending danger, sufficient to hush into silence the most discordant elements.

Every one of those features in the composition of the legislative department of the government forbids the probability that any design inimical to the executive department could ever then be formed. The short period of service for which they are elected renders it impossible that they could carry out any such design, if ever formed, into systematic and continued action. And, moreover, why should the legislature, as a body, desire the possession of executive power, when the very numbers of which this body is composed would prevent the possibility of their discharging the duties attached to it. Mr. President, from the very nature of things, the legislative encroachment upon the executive department is not the danger to be feared; there is more danger that, holding in their hands the privileges of the people, they will not be sufficiently firm in the hour of danger, and at all times sufficiently tenacious of their rightful powers; there lies the danger.

The executive department is, in all respects, entirely different. The president is elected for a longer period than the representatives of the people. He is master of his own secrets; he is not bound to communicate his ambitious designs; his real character may be unknown to the great body of the people. The most artful schemes for the perpetuation of his power may be masked under hypocritical pretences for the public good; his whole power is undivided; he alone is responsible; he wields an immense patronage, which, thus moved by a single will, may be brought to bear upon a single point, and be made conducive to a single object—his own aggrandizement.

More frequently than otherwise he is an ambitious man; his objects are vast; his lust of power increases with its possession; and, disdaining the fetters of legislative restraint, he seeks to control, if he cannot remove them.

Is it not then true, sir, that here is the weak point of every republican government? Is it not true that the executive department of the government should invariably arouse the watchful jealousy of freemen? Take the history of the world. Who have disregarded the limitations of power? Who have trampled on the rights of the people? Who have been most eager to monopolize power? Has it been senators or emperors, parliaments or kings, the representatives of the people or the executive magistrate, grasping, against law, a public treasury, and wielding effectually both purse and sword.

History, sir, abounds in examples, establishing the undeniable fact that in all ages of the world, the chief executive magistrate, however chosen and however restrained, has been the great agent for working the oppression of the people and the destruction of freedom. It matters not with whatsoever dignities invested, and within whatsoever rules confined, the accumulation of power in his own hands seems the great object of his exertions, and encroachment on encroachment the very law of his nature.

Mr. President, shall I refer to historical incidents, and inquire whether it was Pericles or the Areopagus that subverted the Athenian commonwealth? whether it was Cæsar or the senate that destroyed the liberty of Rome? whether it was Cromwell or the parliament that established dictatorial power in England? whether it was not the first consul of France who, disdaining the restraints of legislative authority, established an imperial government, and made his will the only law? It is undeniable, sir, that there is a constant tendency in the executive power of every government, and especially ours, to contemn the barriers of the constitution, to construe at its pleasure the enactments of the law, to decide for itself the limitations upon its own action, and gradually to undermine the legitimate influence of the co-ordinate branches of the government.

This view of the subject is not new. It is to be met with interspersed every where amidst the prophetic apprehensions of the sages and patriots of our country during the discussion that preceded the adoption of the constitution of the United States; and I am pained to say that what was prophecy then is rapidly becoming history.

Of all the means by which the executive department will be able to destroy the equilibrium of the constitution, and to absorb in its own vortex the legislative and judicial powers, the exercise on common occasions of its qualified negative, thereby preventing the enactments of laws which have received the sanction of both branches of the legislature after great deliberation and ample discussion, is by far the most alarming.

A few words will show the formidable nature of this pretension, this palpable abuse of a self-defensive, and, so far as purely self-defensive, beneficial power.

In all free governments parties will exist. When founded on abstract principles, and not devoted to men, those parties are useful. At the head of one of those parties will always be found the successful candidate for the presidential office. It will generally appear that the party who first supported will afterwards sustain him. In all measures he calculates on party

adhesion. The immense patronage he wields not only forms a cement by which the unity of his own party is preserved, but presents attractions by which its numbers are recruited, and its active opponents neutralized and silenced. By means of this patronage pervading the whole community, the existing chief magistrate at all times exerts a silent but powerful influence upon popular elections, which is greatly increased by executive officers themselves intermingling in elections, exerting all their means, their influence, their credit, in behalf of the candidates most friendly to their chief, and especially when the power of appointment and removal is practically vested in the president alone, and every appointment shall be made agreeably to the degree of partisan zeal which the expectants of office shall display, and when continuance in office shall depend upon elasticity of conscience, intensity of zeal, and the effective aid which the incumbent will be able to render in every emergency the political manager or idol of the day. It can seldom happen that any president, brought into office as the head of a great party, who are bound to each other by the ties of interest, wielding to any purpose the appointments at his disposal, directing the disbursements of the immense revenue subjected to his control, and unblushingly holding the honors and emoluments of office as the price of fidelity or the spoils of victory, will fail in commanding, whenever so inclined, a majority in one or the other of the two houses of congress. Should that majority happen to be found in the house of representatives, the danger of liberty will be the greater, and could only be checked by the vigilance of freemen, and the spirit of the people.

And let us suppose, sir, that, in addition to the power granted to the president by the constitution, to recommend to congress such measures as he shall judge necessary and expedient, he shall exercise, indirectly, by members speaking his known sentiments, the initiative power in the business of legislation, and the negative power upon all such of their proceedings as may not comport with his previous views, however capricious they may be; will it not be evident that he possesses an effective control over the whole legislation of the country? What becomes, then, of the "beau ideal" of the separation of powers? What becomes, then, of that distinct will of each department of the government, upon matters specially confided to it by the constitution, which Mr. Madison asserted, as admitted on all hands, "was essential to liberty?" Where shall we find that perfect equilibrium, which is to prevent one department of the government from encroaching on the others? But let us suppose that, hereafter, you may have a president who will take special pains to declare the executive will beforehand upon matters specially confided to the legislative department, and entirely within a sphere of legislative action; and, anticipating an approaching meeting of congress, publish to the world an executive manifesto, declaring the final opinions of the executive upon the great question of currency, commerce, peace, and war, so as effectually to preclude all legislative inquiry, and to leave to congress merely the privilege of recording the executive decrees. What, then, becomes of the balance of power? Where, then, is the legislative power? Will you not have then the very accumulation of power, legislative, and judicial, in the same hands, which Mr. Madison describes as the very definition of tyranny? Where will you then find a corrective for executive abuses? What power shall arrest executive usurpation? Will a solitary voice in the legislative halls avail you any thing? No sir; the suggestions of patriotism, wisdom and experience, embodied in the most eloquent language, would be disregarded by the representatives of a dominant party, elected through executive influence. But suppose, against all probability, you should find that majority; what hope will remain, with the executive veto staring us in the face? Can any one suppose that two-thirds of both branches of the legislature will ever be found to concur in the enactment of a law which the president is known to disapprove? Any bill involving great principles has been rarely, if ever known to pass through congress but by bare majorities, even where the sentiments of the executive were known. Has an instance yet occurred of the enactment of any law, which the president had returned with his objections? Let this veto power be exerted in all its extent, and the legislative power vested in congress by the constitution is no more. Restrict the president in whatever other way you please, still from that moment he becomes absolute in his actions, a monarch, a dictator, a despot. Yes, sir, from that moment the revolution is achieved, and *the people are slaves*. Will such a power be suffered longer to remain to the executive unrestricted, a power which a king of England has so long refrained from exercising, that it may be said to be absolute? What has been its operation here? It has changed the whole course of the legislation of the country.

The veto power, applied to the bill appropriating the proceeds of the public lands, gratified the new states. The same power, arresting a system of internal improvements, pleases the south. The seizure and transfer of the public deposites, by a stretch of executive power, is highly acceptable to another important section of the country. Thus the exercise of this power secures the executive friends enough in each of those sections of the country to ensure him a majority, whilst perhaps neither would entirely be satisfied with what so much pleased the other.

In conclusion, Mr. President, let us look into the manner in which this power to negative legislative acts has heretofore been exercised, and what we may expect from its overwhelming effects, if it shall be left unrestrained. At the commencement of the government, we shall find it directed to objects of little interest and of less importance; for a number of years it was used to correct the effects of hasty or inadvertent legislation, it performed the office for which it was designed; and confined its operation to cases where the constitution was alleged to have been violated by the enactment of the bill; as time rolls on, it outstrips in its pretentions all that the early enemies of a strong executive had predicted. It is confined no longer to alleged violations of the constitution, or to enactments supposed to impinge executive authority; it has invaded the field of general legislation.

It assumes the power to decide, originally and finally, on questions of finance, of commerce, of currency; in a word, whatever can effect the happiness and safety of the whole community, and the individual prosperity of every citizen. Nor is this universal assumption of legislative power by the executive magistrate a rare occurrence. Formerly, the return of a bill with the president's objections constituted an epoch in the annals of legislation. Twice only did it occur, on trivial subjects, in the first twenty two years of the government. Now, sir, it may be said to rank with the familiar occurrences of the day. Seven times was it exerted within the first five years of the present administration, and that, too, upon bills not novel in their character, but well known to the people, and embracing numerous subjects deeply interesting to them. Independent of these facts, what have we beheld within a short period? The executive will arrayed against the legislative will, upon subjects confided to the legislation of congress; the executive not the agent to execute, but the master to dictate; the president not waiting for laws to be passed and presented for his approbation, but anticipating and controlling legislative action, by proclaiming in advance, his settled determination, interposing objections to important measures, which, after mature deliberation and public discussion legislative wisdom had devised; entering busily into the initiative measures of the law-making department; proposing, most considerately, to relieve congress from the duties which the constitution had devolved upon them; offering, if desired, to prepare for their use the model of an act which they might register, and he approve; and even declaring, if we are correctly informed, that if the most noted and fatal of his legislative experiments should, in the lapse of time, fail to accomplish the purposes intended, or prove wholly destructive to the vital interests of the nation, he would then be prepared with another experiment. Nay, sir, so rapid and so alarming have been the strides of executive power over the prostrate constitution, so palpable the abuses, so deadly the thrusts which have been committed under the cloak of a power intended only as a shield, that the president appears to have designedly, at the approach of a late session, anticipated the action of congress upon the subject with which the law-making power alone had the right to intermeddle; as if for the purpose of controlling the action of congress on the very subject, and of keeping (by means of the veto power) the legislative remedies for an act extending greatly the executive power more perfectly at his disposal.

Sir, when these two examples are before us, in the very infancy of our government, what may we not apprehend from the accumulating encroachment of future years? More danger is always to be apprehended from the illegal exercise of power than from the quantum granted. The dictatorial power, when legally conferred and legally exercised, proved no detriment to the liberties of Rome. But when Cæsar passed the rubicon with a victorious army, in open and successful defiance of positive law, the will of one man became superior to the law, and the republic was changed to an imperial throne. The reason is obvious: when power, however great, is conferred by law, checks and limitations may be interposed to render it innoxious; but when power can successfully transcend a constitutional or legal restraint, even in a matter apparently unimportant, who will be able to interpose a check to the successful progress of usurpation, when the enslavement of the people may be the consequence, and a crown the prize?

Mr. President, the executive has, in every age and in every country, been the bane of liberty. It is that power in the state which possesses an activity which never slumbers. Its never-ceasing tendency is to increase the sphere of its own action, and to swell the number of its votaries. The dignities and emoluments which it commands are addressed to the strongest passions that can sway the human breast. Its operations are unseen, its movements unfelt, its impulses unknown, until we behold their effects upon the freedom of a country, and find its liberties writhing beneath their influence, and expiring in the agonies of death. The deadly potion which they administer will be often presented with a winning smile.

So long as confined within its legitimate sphere, the executive power contains within itself an impelling force, which scarcely any free government is able to resist; but, if it once successfully enters upon legislative action, the people are undone.

Mr. President, in my humble judgment, the presidential negative upon legislative proceedings, as now practised and abused, is entirely inconsistent with republican freedom. The people must curtail it, or prepare for subjugation. All history proves that power is never sated; usurpation never stops. If the public will is not respected and obeyed by the chief magistrate of the land, when expressed by representatives coming fresh from the people, that magistrate will soon be superior to the constitution and the law. Soon did I say? *He has them*, through the agency of the veto power, *already under his foot*.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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Our paper is nearly filled with Indian affairs. It contains, first, Mr. *Clay's* great appeal to the humanity and justice of the country, (the *last* that will, probably, ever be made in their behalf), together with the remarks of other gentlemen; and second, the substance of a draft of a treaty with the *Cherokees* for the sale of all their lands, with the conditions attached—and a letter from the president of the United States, addressed to them, in relation to that subject. We are thus enabled, as it were, to complete the whole subject at once—and nobody will regret the room that it occupies.

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The elections will come on in *Rhode Island, Connecticut* and *Virginia* very speedily. The Richmond papers are filled with matter pertaining to them.

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The "New York Journal of Commerce" says—

The bill to prohibit the circulation, within this state, of bank notes under $5, passed the assembly on Tuesday, by a vote of 72 to 9. It passed the senate by a vote of 25 to 2. Total yeas 97, total noes 11. It provides that no bill under the denomination of $2 shall be *given or offered* in payment after the 1st of September next; no bill under $3 after the 1st of March next; none under $5 after 1st September, 1836; and none under $10 of any bank out of the state after the 1st September *next*. Penalty for giving or offering in payment a bill of any bank in this state under $5, after the dates specified, *five times its nominal amount*. Penalty for *issuing* bills under $2, in this state, after 30 days from the passage of the act—under $3 after 1st September next—under $5 after 1st of March next—or for issuing any denomination *between* $5 and $10—$100 for each bill, and forfeiture of charter. Penalty for giving or offering in payment an out-of-state bill under $10 after 1st September next, $50. The senate only proposed to prohibit foreign bills under $5; but the assembly extended the prohibition to all such bills under $10. This amendment, and one or two others of less importance, require the concurrence of the senate, after which, the bill will be signed by the governor, and so the state will be saddled with one of the greatest humbugs that has been got up lately for political effect. However, unless we are much mistaken, public sentiment, before two years have expired, will express itself in terms not to be misunderstood, demanding a repeal of this oppressive and foolish law. The legislature will then learn that a few thousand noisy radicals, forever uneasy about something, do not constitute *the people of the state of New York*. The amount of bills under $5, of banks in this state, in circulation on the 1st of January last, was $3,730,902, or nearly a quarter of their *whole* circulation.

The Albany Argus publishes Mr. Edmonds' report to the New York legislature, on abolishing small notes. The following recapitulation appended to the report, of the proportion of notes of different denominations in circulation is, we suppose, as near an approximation, as can be made.

Recapitulation.

One dollar bills	$1,085,535
Two "	1,169,330
Three "	1,476,037
Five "	4,643,422
Ten "	2,702,651
Twenty "	784,280
Fifty "	622,185
One hundred dollar bills	961,200
Five hundred "	204,000
One thousand "	436,100
Over $5 but particular denom. unknown	2,646,100

The legislative council of New Jersey have passed the bill from the house relative to the prohibition of small notes, with an amendment declaring that it shall not take effect until after the passage of a similar law by the legislature of New York.

So the law to prohibit the passage of bank notes of a less denomination than $5, has passed the legislature of New Jersey.

The "Portland Advertiser" gives the following account of the proceedings of Maine:

The house has passed, in concurrence with the senate, the bill prohibiting the circulation of all bills under the denomination of five dollars. Ayes 90, noes 62. The house, you will remark, has changed front since the last vote was taken. This is considerable of a somerset, but nothing like the somersets that at some other times take place in the house. The majority *against* this bill, the other day, in the house, was very large. The majority *for* the bill, you will now observe, is quite large. What a world this is!

This bill will now become a law of the land. From and after the first of June next, no banking corporation shall issue any bills of the value of one dollar: after the first of January, no bills of the value of two dollars: after the 1st of June, 1836, no bills of the value of three dollars. At the same period the circulation of all these bills is to be stopped, under a penalty of double the value of the bills to be forfeited and recovered in an action of debt.

In reply to the objections made we have to remark—that *Pennsylvania, Maryland* and *Virginia* are all without a circulation of bank notes of a less denomination than *five* dollars—and so, we believe, are several other states; and that their prohibition took place long before the *gold coinage* was dreamed of, and was brought about without much, if any, inconvenience, in the two first named states—the last never had need of such a law. It will, however, operate severely in New York, New Jersey and Maine, wherein the currency of such bills is of a very large amount, and restrain the banks from discounting, for a considerable time—especially certain of them in the interior of New York. But in these states, and all others that border on the sea-board, at least, there ought to be such a prohibition, we think, cannot be doubted. Those in the interior, perhaps, might have a currency of 3's—and, possibly, of 2's, for some time to come. We have always said this, and see no reason to alter our opinion. We have not been, and are not, embarrassed for the want of change. Every body provides himself with it, and all men have enough of it—if enough of notes of five dollars and upwards.

It is singular how the circulation of specie is kept up. We have before us an account of the loss and gain, for two days in the week—*Saturday* and *Monday*, for the whole year of 1833, being the season of pressure on the money market, kindly furnished by an officer of a bank, which, perhaps, gives out more change than any other in this city, to which we shall probably revert hereafter. *Saturday*, every one knows, is the great day of paying small sums, in wages. The account commences on Saturday, the 5th Jan. and ends on Monday, the 30th Dec. 1833. In the whole there is only one Saturday in which there is a gain, and of 25 dollars only—and *fifty-one* in which there was a loss: and there are *ten* Mondays in which there is a *loss*, and *forty-two* in which there is a *gain*—the balance of the losses being nearly 10,000 dollars for the whole year, *so far as it regards those days*. Now here is the answer, where the specie is to come from? The banks pay it out, and take it in, in perpetual succession—and there is no difficulty about change. Nor should there be—if the banks are properly conducted.

The provision in the New York law to prevent the circulation of bills of less than $10, of other states, is unjust.

Now here we have another outcrying—

A *Jeremiade* from the New York Evening Post, of Thursday.

"*Already the precious metals have begun to flow out of the country*. Not more truly does the mercury in the thermometer disclose the temperature of the air, than the fluctuations of specie denote the state of trade. The balance is now preponderating against us, and it will continue to decline more and more, for commerce, stimulated by bank facilities, is hourly increasing its dangerous activity, and enterprise and speculation never employed themselves on wider schemes than now. The veins and atteries of business are filled to plethorick fullness with the circulation of the banks. Importations are daily made to augmented amounts; prices are continually advancing; and every thing wears that florid and preternaturally healthy appearance which foretokens paralysis and death!"

Well, gentlemen, your hard money is *going back again*. The packets which sail this day carry out specie, bills of exchange being now at 8½. So all the humbug of Jackson gold and hard money is very clear and apparent. Now call in your small bills and see where the specie is.

N. Y. Star.

This was to be expected. We have had loud shoutings about the influx of specie, and now we shall have some groans concerning its reflux. We suppose that *silver* will leave us rapidly—but that the small measure of *gold* that we have will stick by us. This was what every dispassionate man predicted would happen, when the "humbug" was begotten. It will be a dear affair to us, if the reflux should go on, as doubtless it will, sooner or later; for gold and silver always seeks the best market, the same as codfish, flour or cotton!

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We have received an official copy of the report made to the senate, on the case of Mr. *Poindexter*. It presents the foulest and filthiest tissue of wicked and wilful falsehoods that ever was stewed-up to feed the morbid appetites of the basest of mankind—the most disgraceful and disgusting; and it was well that a "leaky vessel" revealed the whole conspiracy before the adjournment of the senate! The mind shrinks with horror at so much malignity—at such machinations, to get up a plot against the reputation of an innocent man, *as every member of the senate acknowledged*—and every honest one will rejoice to find has been prostrated, and forever; and the cry of "*bank*," in "*the city of the bank*," with "*bank gentlemen*" and "*bank honors*," as used by the "*Albany Argus*," will not *divert* public attention from the fact, that a cold-blooded design had been entertained to fix upon Mr. P. an act of the most villainous character, which the senate *unanimously* said that there was not the "shadow" of truth in.

In the proceedings of the city council of Washington, it will appear that a just estimate has been placed upon the character and conduct of *Charles L. Coltman*, a member of the board, for the part that he took in it—and there are *others* who were equally guilty, whose character will be canvassed elsewhere. See page 79.

Mr. *Poindexter* was dined, in high style, at Philadelphia, on Friday last—700 plates were laid, and a 1,000 persons were present; besides, the boxes of the theatre were filled with ladies.

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The public will be surprised at the reading of a letter from the president of the United States, recommending a "caucus" to nominate a president and vice president. It is the first time that such a thing has happened, and, we trust, it will be the last.

The old habit was to make a nomination in congress. The last was in 1823, of which Mr. *Van Buren* was the chief. It miserably failed. And so will conventions gotten up as this thing will be. The attendants will not be "fresh from the people," as the president supposes—*for they will not be of the people*. The people, in their primary assemblies, will be altogether disregarded. General *Jackson*, himself, was "fresh from the people"—but the convention will meet to nominate a particular individual, before-named, to them.

We have a recollection of a letter from Mr. *Jefferson* on a similar subject, in 1808, we believe—and hope that some one will hunt it up and republish it. He disclaimed all or any interference with the "succession."

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The war in *Pennsylvania* is assuming rather a ferocious character. The *Pennsylvanian*, speaking of Mr. *Wolf*, says—

"He owes the eminent station he occupies to chance—not to merit. He was thrown into it so suddenly, and so unexpectedly, that months elapsed before his astonishment subsided—and when it did, he felt that his obligations to a few intriguers, who arranged the lottery in such a manner as to enable him to draw the high prize, were so great, that he surrendered himself to their directions, and sunk at once from a governor to an automaton. He moves the pieces, it is true, but there are many Maelzels who touch the springs and regulate the game."

* * * * * * * *

"Deaf—utterly deaf—to the general, not to say universal dissatisfaction, which prevailed throughout the democratic party, at the very mention of three successive terms, he lent a willing ear to those flatterers and panders, whose political existence depended upon his continuance in power. Blinded to the evident impossibility of electing him, if he should be able by the exercise of all the power which the constitution had placed in his hands, he boldly determined to *prove* to the democratic party, through the instrumentality of a SHAM nomination, that they had a MASTER."

And the Philadelphia "*Sentinel*" observes—

"The editors of the *Pennsylvanian* say, that they do not believe, that having at one time acted on the wrong side, forever bars a repenting individual from coming over to that which they regard as the true faith. True; but when you see a man, who, for the greater part of his life time, has been a leader of one party, suddenly go over to the other, and immediately become an applicant for office, on all occasions thrusting himself forward, and assuming the part of a leader there too, is there not some reason to doubt, whether the change has arisen from a conviction of error, or from mere selfish considerations. Modesty should induce such persons to keep in the back ground for a short time at least. It is of such impudence on the part of some of the brawlers about the *Pennsylvanian*, that we complain—the men who modestly call themselves the "real Simon Pure" democrats."

The going over "suddenly" is a common thing—in Pennsylvania! They passed from Mr. *Calhoun* to gen. *Jackson* with the rapidity of lightning—and, while there was but *one* opponent to the *tariff*-law, *internal improvements* and the *bank*, in congress, and not more than two or three in both branches of the legislature, and a large majority voted for *internal improvements* and the *bank* AFTER the president's veto of the bills on those subjects, they suddenly "chopped round," and a majority was found opposed to each of these great questions concerning the "POLICY OF PENNSYLVANIA!"

And so as to the "democracy" of the state about which so much noise is made. Mr. *Wilkins* and Mr. *Buchanan* have been elected to the senate by "*democratic Pennsylvania*," though of the *old* and *decided federal school*. We do not prefer this as a charge against the gentlemen named—(and Mr. *Van Buren* had previously made a "democrat" of Mr. *Rufus King*, and placed him in the senate of the U. S.), but it should teach moderation!

A new paper called the "*Democratic State Journal*" has been commenced at Harrisburgh. It is printed on a large sheet; and, to use the language of the "Pennsylvanian," it "flies the flag of Van Buren and Muhlenberg."

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From the reply of Mr. *Calhoun* to the Petersburg committee, by whom he was invited to a public dinner, we extract the following:

"I must content myself with saying, that there never was a period in which our institutions were in greater danger, and when our beloved country called more imploringly for relief. It is impossible for any one, who has not been an eye witness, to realize the rapid corruption and degeneracy of the government in the last few years. So callous has the sensibility of the community become, that things are now not only tolerated, but are scarcely noticed, which, at any other period, would have prostrated the administration of Washington himself. In fact to prove corruption and abuse, but strengthens the administration in the affection of that powerful and disciplined corps which is the main support of those in power, and which has unfortunately established so commanding an influence in public opinion. Of this melancholy and alarming truth, we have had of late, many and striking illustrations."

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The president of the United States has, we learn, been more or less indisposed in health for the last week.

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At the circuit court, now in session for Washington county, D. C. a bill of indictment has been found against Richard Lawrence, for an assault upon general Jackson, with intent to kill. Friday, the 10th inst. has been fixed upon as the day for trial of the indictment.

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The stock in the Baltimore and Ohio rail road, is at 60 dollars, per share, or upwards. It will, probably, reach its par before the 1st of July. A vast amounut of business is doing on this road.

On Wednesday last week, (says a Philadelphia paper), a train of thirty-eight cars laden almost exclusively with dry goods for the far west, left this city on the Columbia rail road. We learn from the collector that the goods carried by this train, weighed 114,884 lbs.

There are at present 163 regularly registered burthen and 21 passenger cars, upon this end of the road, and about 100 cars that have not yet been registered. After the 6th of April there will be 9 locomotive engines running between this city and Columbia daily.

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A noble spirit of improvement is abroad in *Kentucky*. A board has been established, with ample means to do a great deal of good. Much has been done already, and

more will be speedily accomplished. The "Commentator" asks—

Who can predict the aspect Kentucky will present when her streams become permanently navigable, and when all her roads through the interior become commodious channels of trade? The day is fast approaching when the difficulties of transportation and travel which have been encountered by this community, will live in tradition only, and be listened to with incredulity by the rising generation. Not long ago it was, at many seasons of the year, a hard day's ride from Frankfort to Shelbyville, a distance of twenty-two miles, while for wheel carriages the road was absolutely impassable. The road from Frankfort to Maysville, the great thorough-fare of the state, was in the same condition. Now, at all seasons, and in day or night, large and commodious coaches pass with safety and rapidity. Such, in a few years, we hope will be the situation of all the leading highways of the country. We have begun the good work, it is true, at a late day; but this consideration should only stimulate to greater efforts in order to enable us to overtake those states who have got so many years the start of us.

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The anthracite coal trade to *Providence*, R. I. amounted to 18,356 tons, and employed 2 voyages of brigs, 109 of schooners, and 32 of sloops, in the last year.

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The "Sandy and Beaver canal company" have issued proposals for commencing their work.

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As a specimen of what is doing in the west, it may be mentioned, that Kelley & Walworth are building, at *Cleveland*, a warehouse, the dimensions of which are 85 by 160 feet; with projecting wings of 15 feet, together with 9 feet projection for the shelter of boats which may lay along side. The building is two stories high, and durably constructed. And in the same place, the "Herald" is about to be published *daily*.

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The amount of sales by auction, in the city of New York, according to *William's Register*, for the year ending September 30, 1834, was as follows:

Amount of sales not subject to duty	13,997,994
" subject to duty	13,197,449
	$27,195,443
Other parts of the state, (together)	499,231

The articles not subject to duty are, real estate, cattle, and every article of domestic product or manufacture, except distilled spirits.

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It was a mistake that Mr. *Webster* would dine publicly at Lancaster. He declined the invitation—preferring an unrestrained intercourse with the people of that place; many of whom, of all parties, called upon him and his family.

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At the celebration of St. Patrick's day at Albany, the following toast was drunk—

The hero of New Orleans—The proud and noble descendant of St. Patrick.

Now—*Washington* was "a proud and noble descendant" of *St. George*—and so was *Franklin*, and thousands of others—*Lafayette* of *St. Dennis*, &c. We are all descendants of *saints!*

—

Mr. Waggaman, late U. S. senator from Louisiana, has come out decidedly for Mr. Webster for the presidency, and has, in a letter to the members of the Louisiana legislature, recommended his nomination by them as the whig candidate.

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The "Globe" speaking of judge *White*, says—

Will the people take sides with "*the senate and the bank*" against a government of their own will, whether the "*holy alliance*" present to their view the *White flag* or their own appropriate *black and red*? The people will look less at the flag than to the monsters which march under it. If bankism and nullification present themselves under a *White banner*, they will not be thought the less odious. On the contrary, the free voters of this union will rather look upon and treat them as faithless pirates who hoist the flag of peace that they may the more readily secure the victims which it is their purpose to destroy.

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The Troy Budget says—Mr. Parker has invented a mode of making a plastic composition that soon hardens into stone. It will answer for walls, partitions, cisterns, &c. Mr. Garfield of this city has specimens of the article and also a composition for roofs that seems to answer the purpose.

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M. Dupuytren died in Paris on the 8th of February, after a lingering illness of several months, aged 57. He has left the reputation of being the first operating surgeon in France, and probably in Europe. Domestic affliction preyed upon his mind for the last few years of his life. He has left madame Beaumont, his only daughter, a fortune of nearly 7,000,000f. besides a legacy of 200,000f. to found a chair of medico-chirurgical pathology. He has also left 100,000 crowns, to found an asylum for twelve aged physicians.

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On the 24th ult. 200,000 dollars in gold arrived at Wheeling, for the new bank in Kentucky.

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The Washington correspondent of the New York Journal of Commerce says, under date of March 25th—"The president, I learn, has appointed Benjamin C. Howard, of Maryland, and Richard Rush, of Pennsylvania, as commissioners to settle, as far as it can be done without interposition of military force, the controversy which has arisen between the inhabitants of Ohio, and those of the territory of Michigan, in regard to the northern boundary line of Ohio. Mr. Rush is now in this city, and will, it is said, leave to-morrow for Ohio." We suppose this news to be true. Mr. Rush has certainly been here lately; and we have heard that money has been drawn from "the government" on account of this mission.

[*Nat. Int.*

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The Pontiac Whig of the 18th, received yesterday, brought us another military order growing out of the controversy between Ohio and Michigan. It is from the general of the first brigade, and bears date "Detroit, March 5, 1835." The following is an extract:

"The colonel commanding, orders that the brigade be put in a state of readiness, for immediate action. The commanding officers of the several corps in said brigade, will take immediate measures to prepare their separate corps for effective and active service. The commandants of separate corps will report to me the proper names to fill all vacancies that may exist in their respective commands. I would call the attention of the commandants of the separate corps to the characters of the officers now in commission, as those commandants will be held responsible for the fitness, capacity and character of their officers."

(Signed) LEVI COOK, *col. and acting brig. gen.*

The only additional intelligence we have of any interest is a report of the proceedings of a meeting lately held in Tremainville, within the disputed territory. The citizens of Monroe county, (Michigan), learning that the meeting alluded to was contemplated, sent a committee to attend it, with the hope of effecting a change of sentiment among the people, who were understood to prefer being attached to Ohio rather than Michigan. The Pontiac Whig says:

"The committee repaired to the place of meeting at the appointed time; but found the people there assembled were almost unanimous in support of the claims of Ohio. The committee were debarred from taking any part in the proceedings of the meeting, so that their object was entirely frustrated. The meeting is represented as boisterous and turbulent in the extreme; but one of the many advocates of the rights of Michigan who were present, was allowed to address the meeting, and all his arguments were fruitless."

The report concludes thus:

"In conclusion, your committee express their firm conviction, that a large portion of the inhabitants on the disputed ground are fully prepared and determined to resist the further operations of our laws in that district, and that the crisis has arrived, when every individual is called upon to step forth in support of our civil authorities and the rights of the territories."

The *Urbanna Record* says—Much speculation is afloat concerning the probable issue of the dispute respecting the boundary line between this state and the territory of Michigan. The legislature of this state, at its late session, authorised the governor to appoint commissioners to run out and designate her northern boundary line, which line of course is to be located at the northern extremity of the disputed territory. The governor has accordingly appointed said commissioners, and has likewise ordered general Bell to meet him at Perrysburgh, Wood county, on the first day of April next, with a military escort to protect his excellency's person and staff and the commissioners from harm, should the Michiganders "show fight." On the other hand, the legislative

council of Michigan has passed an act making it a penal offence for any person to attempt to exercise jurisdiction over the disputed or any part of that territory, by virtue of any foreign authority; the punishment for such offence being "a fine not exceeding one thousand dollars, or imprisonment at hard labor not exceeding five years, or both." The acting governor of Michigan has also issued a general order to the militia under his command to prepare to defend themselves against any encroachments from the Ohioans.

Our latest papers from Detroit is to the 20th of last month. At that time no further intelligence had been received in relation to the dispute. The military movements of the Michigan militia have been temporarily suspended. The Advertiser says:

"The adjutant general of Ohio has issued general orders to the militia of the northern counties to prepare for a conflict. From the various manifestations of the executive of that state, it is probable that an attempt will be made to anticipate any movement on the part of the general government, and to take possession of the disputed tract before any counteracting measure can be interposed. We trust no indiscreet zeal on either side will propel the parties to a collision which will endanger the public peace. Michigan will act on the defensive, it is true, against a powerful foe, but if hostilities should actually commence, they will be soon stayed by the general government."

The Advertiser contains a letter from the delegate of the territory in congress, Mr. *Lyon*, in which it is intimated that the president has expressed his determination to support Michigan in retaining the territory.

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The *Urbanna Record* says—A public dinner was yesterday given to gen. *Joseph Vance*, at Mr. Kooken's tavern, in this town, on the occasion of his retiring from public life, after having served this district, as a representative in congress, for fourteen successive years. The numerous attendance of the citizens of this and some of the adjoining counties sufficiently betokened the high respect entertained for the general as a public servant, and the satisfaction with which he had discharged his duties as such.

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Wool, at Poughkeepsie—Saxony, from 60 to 70; mixt Saxony and merino 50 to 60; native 35 to 40.

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The following resolutions are before the legislature of *Pennsylvania*—

Resolved by the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met, That the governor be requested to cause an enquiry to be made into the obstructions that have been thrown into the way of the free and unembarrassed use of the Chesapeake and Delaware canal, and to use all legal and constitutional means to have the same removed, so that the citizens of this commonwealth may have the full benefit and advantage from this great public highway, which were contemplated by the charter, and by the contributions of this commonwealth, and her citizens for the construction of the same.

Resolved, That the sum of dollars, be appropriated for carrying the above resolution into effect, the account to be settled by the accounting officers of the commonwealth.

Resolved, That the governor be requested to communicate to the next legislature, whatever measures may have been adopted in pursuance of these resolutions.

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The following note, appended to gov. *Kent's* speech, was omitted in our last—

General Jackson has exercised the veto power on the following bills:

May 27, 1830. "An act to authorise a subscription of stock in the Maysville, Washington, Paris and Lexington turnpike road company."

May 31, 1831. "An act to authorise a subscription of stock in the Washington turnpike road company."

December 7, 1831. "An act making appropriations for building light-houses, light-boats, beacons, monuments, placing buoys, and for improving harbors and directing surveys;" and "an act to authorise a subscription for stock in the Louisville and Portland canal company."

July 10, 1832. "An act to modify and continue an act to incorporate the subscribers to the bank of the United States."

December 6, 1832. "An act providing for the final settlement of the claims of states, for interest on advances made to the U. States during the late war."

December 5, 1833. "An act to appropriate, for a limited time, the proceeds of the sales of the public lands of the United States, and for granting lands to certain states."

1834. "An act making an appropriation for improving the navigation of the Wabash river."

In the following states the executive have either no negative power, or the one my amendment would leave to the president of the United States, viz: Virginia, North Carolina, South Carolina, Maryland, Tennessee, Kentucky, Ohio, Indiana, Illinois, Delaware, Connecticut, Rhode Island, Vermont, New Jersey and Alabama.

And those that follow possess the negative power given to the president of the United States by the constitution, viz: New York, New Hampshire, Massachusetts, Pennsylvania, Georgia, Louisiana, Mississippi, Missouri and Maine.

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The Charleston Courier states that an award has lately been made by the chamber of commerce in that city, embracing principles not generally known or acknowledged. The question decided was—"*What is a* DELIVERY *of goods by the master to discharge the bill of lading?*"

The following was the decision, with the reasoning in the case:

"In arriving at a conclusion on this matter, we shall lay down one or two plain principles, which we believe to be established both by law and custom. A general ship, owners and master, are assimilated to common carriers, and nothing but a real delivery of the goods, (the customary risks excepted), will discharge their obligation or entitle them to freight. The mere landing of goods therefore, on the wharf is not a delivery, within the meaning of the bill of lading. Provided the consignee does not know of their being landed, they are still *in transitu*, and are as much under the care of the master as if they were still in the vessel's hold. The terms of the bill of lading are strong and explicit. The master promises to deliver the goods. To whom? Unquestionably to the consignee, his agent or assigns. Would a mere delivery on the wharf then, if afterwards the goods were stolen or destroyed before the consignee took charge, entitle the ship to freight? We think not. This alone shows that someting more is wanting towards the completion of the master's engagement than the simple act of landing. It clearly follows, that if goods be landed without the knowledge of the consignee, and no notice has been brought to him of the landing, it is the bounden duty of the master, even to entitle him to a demand for freight, effectually to protect those goods from injury of any sort. If this sound and wholesome principle were not to prevail, it is easy to perceive that merchants may be injured very materially, even in a few hours, and without recourse. A contrary custom might involve the the whole mercantile community in constant losses and vexatious disputes."

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IMPORTANT DECISION.

Commonwealth vs. Wm. Hurlick, } In the mayor's court of Philadelphia, March 30th, 1835—Present, the recorder, aldermen McKean and Ash.

The defendant was indicted for an assault and battery on William Cresson, collected under a pretence of collecting a militia fine. It appeared that he had a claim upon James Cresson, which he insisted upon being paid by William Cresson, the prosecutor, who is a young man almost entirely blind. After being ordered out of Mr. Cresson's store, and led to the door, he turned round and struck him a severe blow on the head with a heavy stick, which laid open the scalp. The jury, without a minute's hesitation, found Hurlick guilty, and the recorder immediately announced the judgment of the court.

Sentence—Fine $1, and one year's imprisonment in the county gaol.

D. P. Brown, esq. counsel for prosecution—Mr. Allison, for defendant. [*Com. Herald.*

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NORTH EASTERN BOUNDARY. In the house of representatives of Maine, on Saturday, resolves additional respecting the north eastern boundary were read a second time. They are as follows:

Resolved, That as the recommendation of the king of the Netherlands was an evasion and not a decision of the question submitted to him, we cordially approve of its rejection by the president of the United States.

Resolved, That as the final adjustment of our north eastern boundary line is a question involving the future growth and prosperity of this state, the executive of this state be requested to urge upon the executive of the United States the great importance of a speedy settlement of this exciting question, in such a manner as will preserve the territorial rights of Maine as described by the treaty of 1783.

Mr. Shaw, of Wiscasset, moved to amend the first resolve by adding the words "*and senate*," so that it should read "rejection by the president and senate of the United States."

Mr. Jarvis, of Ellsworth, opposed the amendment, contending that the course of the senate was evasive and shuffling.

Mr. Holmes, of Alfred, replied.

Mr. Shaw said he did not expect that his amendment would provoke a discussion, and he withdrew it.

Mr. Brooks, of Portland, said he wished that the action of the house upon this important subject should be rendered as solemn as possible, and he called for the yeas and nays upon the passage of the resolve, and they were ordered and taken as follows: yeas 129, nays 7.

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COMMERCE AND NAVIGATION OF THE UNITED STATES. The statements of the register of the treasury in relation to the commerce and navigation of the United States, for the year ending 30th September, 1834, were laid before congress on the last day

of the session, and have not yet been published. We however learn from our correspondent that the imports during that year amounted to $126,521,332, of which there was imported in American vessels $113,700,174, and in foreign vessels $12,821,158. The exports, during the same year, amounted to $104,346,973, of which $81,034,162 were of domestic, and $23,312,811 of foreign articles. Of the domestic articles, $61,286,119 were imported in American vessels, and $19,748,043 in foreign vessels.

Of American shipping 1,074,670 tons entered, and 1,134,320 cleared during the same year, ending 30th September 1834. Of foreign shipping 568,052 tons entered, and 577,709 cleared.

The registered tonnage for the year ending 31st December, 1833, is stated at	750,096
Enrolled and licensed tonnage at	825,195
Fishing vessels at	30,927
Total	1,606,149
Of the registered tonnage, there were employed in the whale fishery	101,158

The total tonnage of shipping built in the United States, during the year 1833, was

Registered	72,979
Enrolled	88,647
	161,626

The amount of specie imported during the year ending 30th September, 1834, was as follows:

In gold	4,472,507
In silver	13,631,043
	$17,103,550

The amount of Bullion imported during the same year was as follows:

In gold	293,665
In silver	514,417

Comparing these statements with those of former years it will be found that in almost every particular they show an extent of commerce never before equalled in this country. The value of imports during the year ending 30th September, 1833, was $108,118,311; being more, by about five millions, than in any previous year since the period immediately subsequent to the war. During the year ending 30th September, 1834, however, there was a still further increase of 18,402,021, or a total, as stated above, of $126,521,332. The value of exports during the past year is $14,206,540 greater than during the year ending 30th September, 1833, and greater than *ever* before except in 1807, when it was $108,343,546. The *domestic* exports during the past year were $10,716,464 greater than in the previous year, and $7,179,225 greater than in *any* former year.

The aggregate tonnage entered during the past year is 34,576 tons more than in the former year, while the American part of it is 36,771 less. There is, however, an increase in the American tonnage registered, enrolled and licensed, including fishing vessels of 166,699 tons. [*N. Y. Jour. Com.*

YANKEE ENTERPRISE. There is a great deal of Yankee enterprize in old Massachusetts. Perhaps no state goes before her in the extent and variety of manufactures, compared with the amount of population. There are many instances of individuals in that state starting from small beginnings and rising to wealth and eminence by their enterprize in manufacturing establishments. A striking instance of this kind is found in the shovel works of Oliver Ames. A correspondent informs us that he commenced the manufacture of shovels when young, and carried on the business in quite an humble style. When he had finished a few dozen of shovels he would pack them into a one horse wagon and carry them off to market. Now he has three extensive shovel factories, one at Easton, where he resides, one at Braintree, and one at West Bridgewater, and gives employment to three four horse teams to carry his shovels to market. He has in his factories nine *tilt hammers*, which weigh about four tons a piece, and each cost from $1,500 to $2,000. His works turn out about forty dozen shovels a day, and that is not sufficient to supply all the orders he receives. He employs about sixty workmen constantly. Each shovel goes through about twenty different hands. He pays his workmen from twelve to fifty dollars a month. His work costs upwards of $75,000. His profits are probably from 15 to $20,000 a year. So much for individual enterprize. [*Portland Daily Cour.*

GREAT IMPROVEMENT ON RAIL WAYS. The Gazette of Wednesday says: "We noticed in December last the successful attempt to pass a locomotive steam engine, by its own power, with a moderate load attached to it, over the inclined planes at Parr's Ridge, on the Baltimore and Ohio rail road; one of which has an acclivity of about two hundred and sixty feet in a mile. Since that time, the successful running of the locomotive engine, during a season well adapted to furnish full opportunity to test all kinds of difficulties that might be caused by the weather —has resulted in the satisfactory and entire conviction, that *locomotive steam engines can be constructed, on the plan adopted and now pursued, at the manufactory of machinery of the Baltimore and Ohio rail road company in this city, each of which engines, with the use of anthracite coal as fuel, will be capable of transporting, with certainty and safety, one hundred passengers with the requisite cars to contain them, up an inclined plane ascending one hundred feet in the mile, at the rate of ten miles an hour.* This triumphant and highly important result furnishes additional evidence, in this age of wonderful discoveries, of what may be accomplished by the use of steam power—the extent of which it is almost impossible even to imagine—as every month, every week, brings to view, and into practical use, some new benefit conferred on man by the aid of this powerful agent.

"The obvious benefits, and they may truly be said to be immense in their extent—which will be derived from the result thus ascertained, are great reduction in the expense of graduating the road beds on most routes for railways, which in countries even moderately undulating, will probably be at least fifty per cent.—and great increase of practicable routes for the location of railways capable of being used beneficially without the aid of stationary power. It is now believed to be not merely probable, but in fact beyond a reasonable doubt, that a route will be found on examination, for the continuance of the Baltimore and Ohio rail road to the Ohio river, free from all inclined planes that may not be passed over without the aid of stationary power. It is also not less confidently believed, that passengers can be conveyed the whole distance in each direction in twenty-four hours."

STEAM NAVIGATION ON THE SUSQUEHANNAH. The practicability of navigating the Susquehannah with steamboats appears to be ascertained beyond the possibility of a doubt. From the Towanda Banner, we learn that "the committee appointed by the managers of the Susquehannah navigation company have made a report, by which it appears that the contemplated navigation of the Susquehannah by steam is not a visionary scheme, but that on the contrary, it is beyond doubt practicable. The day is not far distant when we shall see steamboats in successful operation upon this river. The committee state that no more than $20,000 judiciously expended, would be necessary so to improve the river that boats drawing two feet water could run at all seasons of the year, except when impeded by ice, and that without any expenditure on the bed of the river, boats drawing only eighteen inches water, can run at least four months in the year. The boat now building at Owego, is in a rapid state of progression, and may be ready for operation, if required, on the first of April. The hull of the boat is already completed and the boilers and machinery located. It is 100 feet in length, and 25 feet in width, including side wheels. It has two cabins and an upper deck. Two engines propel a wheel at the stern, and the two others each a wheel at the side near the bow. The workmanship is said to be of the best kind, and the power about 70 horse, cost $13,000. Two towboats are building to run with it, each 50 feet in length, and about 25 tons burthen."

KANAWHA RIVER. From May 15th, 1833, to the 15th of February, 1834, the salt shipped from this river, amounted to only *eight hundred and eighty thousand two hundred and ninety nine bushels*, paying $4,406 49½, tolls. The ascending tolls during the same period, amounted to $1,108 32½, making an aggregate of tolls for that period of $5,514 82.

From the 15th of May, 1834, to the 15th of February, 1835, there was shipped from the salt works *one million two hundred and seventeen thousand, six hundred and seventeen bushels of salt*, paying to the state a toll of $6,088 06. The ascending tolls during the same period, amounted to $1,281 27½, making an aggregate of tolls for that period of $7,369 33½.

From this it appears that the increased shipment of salt during one year, was 337,318 bushels, and the increase of tolls $1,854 51. During the present year it is confidently expected that the quantity of salt manufactured will not fall short of 2,000,000 bushels. [*Banner.*

STEAMBOATS, &c. According to the Paris *Journal des Debats* of the 10th January last, the traveller, by the new line of steam packets between Havre and Hamburg, arrives at Hamburg in 60 hours, and may proceed so as to arrive at St. Petersburg in *seven* days from Havre, and at Berlin in *five* days. There is a line of steam packets between Lubeck and St. Petersburg, in a run of four days. Lubeck is a few leagues from Hamburg, and it takes only thirty six hours to go from Hamburg to Berlin. Steam navigation will, ere long, render the tour of the European continent a month's comfortable expedition.

We learn from capt. Robinson, that a line of steam packets has been established by a company at Havre, to carry freight and passengers between that place and Hamburg, which leaves twice a week; their average passages are 54 hours. These vessels are 450 tons each, with double engines of 130 horse power, and 170 feet in length; they are very swift vessels, built in the strongest manner, of the best materials, and finished in a style of elegance equal to any vessels that float; in fact no expense has been spared by the company to make them very superior vessels. The packets afford a quick, regular and almost direct communication for passengers and freight between New York and Hamburg, both of which are taken at low rates; this intercourse was very much wanted, inasmuch as shippers of German merchandise had frequently to wait months for vessels, or transport their goods by land to Havre, at a heavy expense.

The company intends to have another line to run between Havre, Lisbon, Cadiz and Gibraltar, which will afford a direct communication between the south and the north of Europe.

There are on the stocks at Havre 5 large ships, 2 brigs and 3 steamboats. [*N. Y. Mer. Adv.*

PORTO RICO. A work has recently been published in England, and reviewed in the Westminster, giving an account of the present state of the island of Porto Rico. It is written by colonel Flinter, an officer in the service of Spain, who, says the reviewer, undertakes to prove by the practical example of the Spanish colonies, that white men, equally with the people of color, born between the tropics, can work in the fields as well as the natives of Africa; that all the productions of those climates may be raised by their exertions, and that free labor, under proper regulations, is cheaper and more advantageous to the planter than the forced labor of slaves. He attributes the great increase of production in Porto Rico within a few years mainly to the introduction of free labor. In 1810, the exports amounted only to $65,000; in 1832 they exceeded three millions. In 1832 the net public revenue of the island amounted to 798,404 dollars and the expenses of its government to $630,300, leaving a balance in the treasury of $108,104. [*Nat. Adv.*

A SCENE IN NEW YORK.

In the senate—March 30.

Mr. *Young* then proceeded to address the committee in opposition to the bill. In closing his remarks, Mr. Y. alluded to an article recently published in the journal, which is edited by Mr. Hubbard. This article he considered to be a gross, abusive, personal attack on him. It was an attack made upon me, (said Mr. Y.) for my official conduct; and I ask that senator, who is now in his place, if any retraction is offered? I don't ask him to make any; but does he wish to offer any retraction?

Mr. *Hubbard*. I do not make any retraction.

Mr. *Young* was proceeding to remark, that the article was a gross, abusive, personal attack on him, and that it was published in a paper printed by a senator, when

Mr. *Maison* called him to order. He did not think it was right to bring up in the senate any newspaper article. If it was, the discussions upon them would be endless, for no senator escapes.

The *chair*, (Mr. *Seger*), decided that the gentleman was out of order; but

Mr. *Young* arose and repeated that the attack was a personal attack made upon him by a member of this body. The paper which contained that attack had been hawked about the senate; and he had been informed, by the man who had penned the article.

Mr. *Hubbard*. That is not the fact.

Mr. *Young*. Three of the papers had been sent to me, directed in the hand writing, (as he had been told), of this same man.

Mr. *Hubbard* looked at the writing which Mr. *Young* held up, and said—That is not my writing.

Mr. *Young*. I state further. The attack in the article threatened me with an attack here, by himself or some of his coadjutors.

Messrs. *Maison* and *Stower* simultaneously called Mr. Young to order.

Mr. *Lacy* hoped the gentleman would be allowed to go on, as he had not until this moment heard of the subject. Let the gentleman say what he has to say and we will be able to decide whether the attack is right or wrong.

Mr. *Beardsley*, also hoped he would be allowed to proceed.

Mr. *Young*. I was going to say, that in this personal, violent abuse of me, made by him, and sent to me, and hawked about the senate, I am threatened with an attack by him or some of his coadjutors. I now wish to apprise him that my whole life, from my boyhood to the present moment, is at his disposal. If he can fix upon me any act of dishonesty or dishonor, let him do so. When he has done so, however, he will have to sit for his own picture; and I will draw the picture of a drunken demagogue.

Mr. *Hubbard*. All I have to say is, the gentleman is a liar.

The committee then rose and reported, without taking the vote on the bill, and the senate adjourned.

"SIX MONTHS IN A CONVENT."

From the New York Journal of Commerce.

We learn by gentlemen from Boston that 40 men are employed day and night in working off and binding this work, without being able to supply the demand in the city of Boston alone. The booksellers in many instances have bought up second hand copies and sold them to new readers—being unable to obtain a full supply from the publishers, Messrs. Russell, Odiorne & Metcalf. Between 7,000 and 8,000 copies, we understand, have already been published, and the work has been stereotyped. About half a dozen copies have reached this city, (one of which we have), and 100 more are promised soon. They will be gone in a trice. A thousand copies is the least that ought to be sent here to begin with. The book, and the demand for it, have greatly disturbed the equanimity of the Roman Catholics, if we are to judge from the annexed paragraph in the Boston "Literary and Catholic Sentinel:"

Impotent and impudent falsehood. A wretched, illiterate woman, of "no character at all," to whom from pure motives of charity, the lady superior of the Charlestown convent, afforded, some time ago, an asylum, has become the tool and dupe of an ignorant fanatic person of the name of *Croswell*, who rants and roars, every Sunday, in a Methodistical psalm-house in Charlestown, and at his instigation, obtruded on the public attention, an infamous and libellous book, entitled "*Six months in a convent.*" The vulgarity of Croswell's style of diction, for that despicable fanatic is the real author of the vile work, is only surpassed by his incredible and wicked falsehoods. In our next, we shall expose the clumsy and calumnious fiction, of which the continent Mr. Croswell has become the father by the *virtuous* woman, Rebecca Reed, whom the lady superior, from an impulse of benevolence, snatched from starvation. Every person of knowledge and mind, who has read the disgusting book, declares that it is a tissue of the rudest ignorance and the vilest falsehood, such, indeed, as might have been expected from such a literary Platonic pair of lovers, as the ingrate woman Reed, and the psalm ranting parson Croswell.

The "Boston Traveller," alluding to this paragraph, says—"It may be well to remark, for the information of distant readers, that the gentleman alluded to in such 'Ciceronian' style and so much candor, instead of being a Methodist clergyman in Charlestown, is the rev. Mr. Croswell of the Episcopal church in the north section of this city, who has had no more agency in publishing Miss Reed's book, than the rev. Mr. Healy's 'distinguished guest.' There is no minister of the gospel in our community more highly and deservedly respected by all denominations of Christians than Mr. Croswell, and this libel upon his character is more vile and atrocious than any assault upon a clerical gentleman we have ever had occasion to notice. Mr. Croswell's greatest offence, we suspect, was his giving the annexed certificate, going to show that the character of Miss Reed is such as to justify entire confidence in the correctness of her statements:"

I hereby certify that Miss Rebecca T. Reed has been for more than two years last past, a communicant at Christ church; that I have always regarded her as a devout person and exemplary in her Christian walk and conversation; that I repose great confidence in her sincerity and intention to relate, on all occasions, what she believes to be the truth. WM. CROSWELL,

rector of Christ church, Boston.

October 20th, 1834.

We have already published the card of the *superior of* the convent, denouncing the book and its author, and it is therefore no more than fair that we should publish the card of the committee of publication in reply:

A CARD.

A card signed "*The Superior*," was published in nearly all the city papers, on Friday. It is understood to have been written by Mrs. Mary Ann Ursula Edmond St. George Moffat, the superintendent of the Ursuline convent, which was established in Charlestown.

The appellation of "liar" and "imposter" which the "card" applies to Miss Reed, would seem to be better adapted to the education and habits of an order of ladies, distinguished in Paris, as *dames poissardes*, (fish women), than to the accomplished "superior" of the *religious* order of St. Ursula, "devoted by their institute to the education of female youth."

"The superior" intimates that Miss Reed had no right to the religious name of Mary Agnes, and that it was not known she had chosen that name. This is very immaterial, but Miss R. has books and letters in her possession, presented to her before she went into the convent, by Catholics, with the name of Mary Agnes. As to the title of "saint," she never assumed it, and it was never attached to her name at all, until it was done in the amiable and *saint* like temper, which so beautifies and adorns the "card" of Madame *Saint* George! And as to the matter of saintship, we must be permitted to say that Miss R's narrative has much more of that spirit in it which saints ought to possess, than is found in the "card" written by Miss Mary Ann Ursula Moffat, alias Mrs. Mary Edmond *Saint* George Ma Mere.

The title of the book, the superior says, "comprises a falsehood—six months in a convent, when she was there not more than four months and one week. She entered September 12, and eloped January 18." The author of the "card" should not insist upon such precision in dates, for her own sake. In her sworn testimony at Cambridge "the superior" said that "Miss R. *first* came to the convent with a domestic," and "she was not admitted till *eighteen months after*." Now "the superior" wrote to Miss R's father, in her own hand, "August 4, 1831," saying that Miss R. first applied for admission to the convent *last* November, which was November 1830. Eighteen months after, would have been May 1832. She now says Miss R. entered in September and left in January. "The superior," after this, should not be very strenuous in making a falsehood out of "*nearly* six months," should it fall somewhat short. Besides, the title of Six Months was affixed by the committee, not Miss Reed.

Should "the superior" answer the book, as she threatens, in the spirit of her "card," we venture to say that the answer will be replied to, in a temper to give ample proof by contrast, that "the sublime truths of religion" may be imbibed quite as well in a Protestant community, as in a community of Ursulines, over which the amiable author of the "card" presides.

THE COMMITTEE OF PUBLICATION.

March 21.

The *Boston (Catholic) Sentinel* gives frequent illustrations of that charity and forbearance, which it would recommend to others. We make two or three extracts.

The Bible and Bible societies.

True and faithful ministers of the fountain of prophetic and evangelical inspiration, have been vigilant and careful in pre-

serving the holy streams of immortal life from the corruption and pollution of false and perverted translations, like those that *defile and abase those heretical* and FANATICAL *Bibles issued out by those adopted children of Belial—the cunning, faithless, hypocritical mock-moralists who compose the Bible societies in this country.*

John Wesley and Methodist preachers.

There is not a visionary religious theorist in England or America, but will back his wild, immoral, and criminal notions with a text from scripture. Hence the cause that coblers, tailors and tinkers, without education, intelligence or intellect, abandon their honest calling, and native element of *happy ignorance*, and mount the pulpit, like *mad* preachers, with the *unrighteous, sacrilegious and irreligious heretical* dogmas of that Don *Quixotte of fanaticism, John Wesley.*

Lafayette. The following extract from the "*Catholic Sentinel,*" refers to the North American Review.

It is too deeply imbued with the hateful leaven of federal principles—and too inflated, we think, with an undeserved and hyperbolical encomium on the negative virtues of Lafayette—on the imputed qualities of a man whose *memory* is *abhorred* by all good and patriotic Frenchmen, as the *ingrate* betrayer of the heroic Napoleon, and the *parasite* and elevator of the regal poltroon, nick-named the "Citizen king," who now smites France with the iron sceptre of tyranny.

☞ We give the preceding as specimens of the *love* that these people owe one another! We take no part in the quarrel—but think that the convent ought to have been paid for.

STATISTICS OF FRANCE.

Although the probabilities of a war happily become fainter and fainter, as the returning good sense of our own people, and those of our own ancient ally, render both more and more disposed to terminate all differences amicably, we have thought it would not be uninteresting to present a summary condensed view of the present condition of France, from the latest authorities—chiefly abridged from a late valuable little work by M. Benoiston de Chateauneuf, highly spoken of for the authenticity of its details.

Surface—Greatest length 245 leagues, breadth 205, frontier line 1,000 leagues.

Forests—Vast and numerous, 15 millions acres, greatest towards east and south—at St. Germain, Fontainbleau, Ardennes, Jura, Cevennes, Pyrenees, Berry, Bourgogne, Alsace, Provence, especially Lorraine, in fine timber. France and the crown possess about half of these forests. They contain 37 species of trees, which grow from 30 to 40 feet high. The mass is composed of 18 species, viz: 3 of oak, 5 resinous, 1 yoke-elm, 1 chesnut, 1 beech, 1 birch, 1 linden, 1 ash, 1 willow, 1 maple, 2 elms—of these 18, seven only serve for ship building and carpentry. The annual value of the timber cut is 110 millions francs.

Mineral waters—240, especially in the mountains, Auvergne, Languedoc, &c.

Mines—No gold, silver, mercury or platina; abundance of copper, *lead*, [?] iron, coal, &c. altogether 520 mines, which employ 30,000 workmen. The population, comprising Corsica, is 32,367,600. The north is and always has been the most populous, for, after abstracting Paris, there is still 1,466 to a square league; the centre is next, the south least. By the census of 1831, 15,936,500 males, 16,624,400 females, viz: children 8,864,200, married men 6,046,900, widowers 722,400, *military* 393,000, girls 9,068,100, married women 6,054,400, widows 1,501,900—of these there were in 1826, 166,410 above 80 years of age. A third of the population live in towns, and the other two-thirds in the country. Thus, 10 or 11 millions occupy 2,450,000 urban habitations, and 21 millions 3,982,450 rural. There would be then only 4½ persons to each house in towns, and 5 and two tenths in country houses. There is annually about one birth on every 32 persons, and one death on every 29—a marriage in every 131, and 4 and one-seventh children to each marriage. The number of births is less than formerly, yet the population increases because fewer die—they live better. Most are born on the Loire, fewest in Normandy. The greatest number die in Brittany, the least in Gascogny. The average births are 10 for 8 deaths. The ratio of increase is 1,169 on this number per annum. The medium of life before the revolution was 28 years, now 32.

Agriculture—Nearly half France is cultivated—a twentieth in vines, an eighth in meadows, a ninth in forests, a thirteenth in marshes. The average bushels of grain to the acre, is about 48—the maximum in the north. The annual agricultural products are 2,775,000,000 francs. Therefore, there is but 364 pounds of grain to each inhabitant the whole year! Hence, in bad seasons, there is want; and France since 1828, has purchased 240 millions francs of grain from abroad, and sold in that time only 28 millions! The vines extend from the mouth of the Loire west, to the Ardennes east, covering five and a half millions of acres, yielding 600 millions francs. A good apple tree in Normandy, yields 30 bushels, and 20 are required for a ton of cider. Four trees furnish the drink of a man for two years. There are 400,000 *hectares* for the cultivation of the chesnut tree, chiefly in the south; and each chesnut tree is equivalent to about 20 pounds of bread.

Live stock—There are 2,500,000 horses; 4,915,000 beeves; 4 millions cows; 855,000 heifers; 290,000 calves; 2,400,000 asses; 4 millions hogs; 31 millions sheep; 4 millions mules; 50 millions poultry.

Mineral products—Lead 3,294 quintals; litharge 4,401; silver 18; coal 15 millions; alum 21,118; petroleum 831; asphaltum 3,747; sulphate of iron 25,941; salt in crystal 390,000.

Importations and exportations—The exported produce of France is 620 millions francs; her importations are 606 millions. Her annual commerce is therefore 1,200 millions. Her exports consist, in animals, 1,482,000 fr. importations; 80,000 fr. only of exportations. Grains, import 51,881,000 fr. export 5,947,000. Dead animal substances, as skins, hair, &c. import, 121,287,000 francs; export 50,442,000. Vegetable substances, oranges, &c. import 94,869,000 fr. export 28,871,000. Mineral substances, import 40,735,000 fr. export 8,456,000. Salted meats, &c. import 13,147,000 fr. export 17,571,000 fr. Hemp, wood for construction, &c. import 64,801,000 fr. export 90,922,000. COTTON, import 5,633,000 fr. export 58,109,000 francs. SILKS, import 14,213,000 fr. export 122,928,000 fr. Colonial articles, import 101,361,000 fr. export 25,669,000 fr. Gold, import nine millions; export 16,975,000. Silver, import 34,630,000 fr. export 7,345,000. These last vary much. The importation of silver metal in 1831 was 43 millions, in 1832 but 11. France thus receives from without more of grains, animals, metals, &c. than the exports, and exports more of manufactures than she buys. There are 1,240 forges.

Commerce—The foreign occupies 60,000 men, and 8,000 vessels, of which last only 3,000 belong to her! The commerce of France with Asia is 20 millions francs; Africa 22 millions; S. America 41 millions; N. AMERICA TWO HUNDRED AND FIFTEEN MILLIONS! Europe 764 millions; colonies 103 millions. Africa and Asia send to France 24 millions, and receive but 7. The United States take 79 millions in manufactures, and 14 in other articles.

The total expenses of France are one milliard, or $1 francs and 25 centimes a head for each inhabitant. [*N. Y. Star.*

PROCEEDINGS OF THE CITY COUNCIL.

BOARD OF ALDERMEN, MONDAY, MARCH 23.

Mr. *Watterston* called up for consideration the resolution "expressing the opinion of the corporation of Washington, on the late attempt to implicate the hon. *George Poindexter* as accessary to the attempt to assassinate the president of the United States."

[This resolution declares "that, in the opinion of the said boards, every individual concerned in plotting and contriving the false and nefarious charge against governor Poindexter, of an attempt to assassinate the president of the United States, ought to be held up not only to public odium and scorn, but to the execration of every virtuous member of the community."]

Mr. *Gunton* stated, that, as the subject had been referred to a committee in the board of common council, where he thought it ought properly to originate, he would prefer that it should lie over until that board had acted on it; and, therefore, moved to lay the resolution on the table: but, after some explanation, he withdrew the motion.

The resolution was then read a third time; and the question on its adoption being taken by yeas and nays, it was decided in the affirmative by an unanimous vote.

So the resolution was unanimously adopted.

BOARD OF COMMON COUNCIL, MONDAY, MARCH 23.

Mr. *Ellis*, from the select committee, to whom was referred the preamble and resolution in relation to the attempt to implicate the hon. *George Poindexter* in the late attempt to assassinate the president of the United States, made a report thereon, and reported the same without amendment; and the report was laid on the table.

[The report approves the sentiment of the resolution, but expresses a doubt of the power of the board to go further than to *declare* that opinion.]

Mr. *Carothers*, from the minority of the committee, to whom the same subject was referred, made a report, concluding with the following resolution, which was also read and laid on the table:

"*Resolved*, That this board have no power granted to them by the charter to take cognizance of the private character and conduct of its members *out of the board*, and that the committee be discharged from the further consideration of the subject."

Subsequently, on the same day, the board resumed the consideration of the preamble and resolution in relation to the attempt to implicate the hon. *George Poindexter* in the late attempt to assassinate the president of the United States.

On motion of Mr. *Ellis* the resolution was amended, by *striking out* the words "and that he is hereby requested to resign his seat at this board *forthwith*."

Mr. *Carothers* moved to amend the resolution, by inserting, as a substitute therefor, the resolution reported by the minority of the committee; and the question being taken, the motion was negatived, as follows:

YEAS—Messrs. Brown and Carothers.

NAYS—Messrs. Adams, Hanly, Crandell, Mudd, Clark, Harbaugh, Carbery, Griffin, Speiden, Henshaw, Ellis and McIntire—12.

Mr. *Clark* moved a division of the question on the preamble and resolution.

And the question being first taken upon agreeing to the resolution, amended to read as follows:

Resolved, That this board is of opinion that Charles L. Coltman, a member thereof from the second ward, has not, (so far

as he is concerned in the above matter) acted in accordance with those principles of honor, by which each and every representative of the people ought to be actuated.

This resolution was adopted by the following vote:

YEAS—Messrs. Hanly, Adams, Mudd, Crandell, Clark, Harbaugh, Carbery, Griffin, Speiden, Henshaw, Ellis, and McIntire—12.

NAYS—Messrs. Brown and Carothers—2.

The question was then taken on the preamble, and it was also adopted by yeas and nays, as follows:

YEAS—Messrs. Hanly, Adams, Crandell, Mudd, Clark, Harbaugh, Griffin, Speiden, Henshaw, Ellis and McIntire—11.

NAYS—Messrs. Carbery, Brown and Carothers—3.

COURT OF INQUIRY ON LIEUTENANT LANE.

ORDER, NO. 15. } *Head quarters of the army, Adjutant general's office, Washington, March* 17, 1835.

The court of inquiry instituted by direction of the president of the United States, which convened on the 28th of February, 1835, in the city of Washington, pursuant to "*order*" No. 8, for the purpose of examining into the conduct of 2d lieut. *John F. Lane*, of the 4th regiment of artillery, *in* reference to an assault alleged to have been by him made on the person of the hon. John Ewing, a member of congress from the state of Indiana, while returning from the house of representatives on the evening of the 25th February, 1835, in the city of Washington, has reported the following opinion:

"The court, after a full inquiry, find the material facts disclosed by the evidence presented, to be as follows:

"In the afternoon of February 26th, 1835, immediately after the adjournment of the house of representatives for the day, the hon. John Ewing, a member of that body, was proceeding on foot in the direct route from the capitol towards his lodgings in this city; when, at a little distance from the Capitol square, he overtook, on the Pennsylvania avenue, lieut. Lane, who was loitering or walking slowly in the same direction. When Mr. Ewing had nearly come up with him, lieut. Lane turned round, and accosted Mr. Ewing in a mild tone of voice, stated, in terms, his purpose of inflicting *punishment* or *chastisement*. Mr. Ewing having naturally manifested surprise and resentment at this declaration, and showing a disposition to defend himself, lieut. Lane, with a slender iron cane, of less than six ounces in weight, hastily struck Mr. Ewing just above the left eye. The blow cut the skin of the forehead, causing an effusion of blood and momentary staggering. This advantage in the contest does not appear to have been followed up by the assailant. On the contrary, he remained firm in the same position. Mr. Ewing also had a walking stick in hand, of the description called a *sword cane*. This as soon as he had recovered himself a little, he attempted to use, when the wooden case, or scabbard, immediately flew off. He next endeavored to revenge himself with the naked blade, or rapier; but this was broken in a few trials, either by being parried by lieutenant Lane's stick, or by his hands. After the first blow inflicted by lieut. Lane, he appeared to have acted mainly, if not entirely, on the defensive. His stick flew out of his hand early in the conflict, when, remaining in his position, he continued to defend himself, either with his hands, against the blows and thrusts aimed by Mr. Ewing with his rapier, or, with his fist, he knocked Mr. Ewing back, on his attempts to close in. On one occasion, when Mr. Ewing came within the guard of lieutenant Lane, the latter took the former whose hat had fallen off, by the hair, and gently shook him. Another witness added that lieut. Lane struck Mr. Ewing at the same time. This incident terminated the contest, which happened within the view of many witnesses, members of the house of representatives, and who were more or less distant from the scene.

"It does not appear that the parties used, or had about them, any weapon other than the sticks described.

"The evidence but very slightly discloses the cause, or provocation which led to the assault made by lieut. Lane. No witness could trace it to any thing said or done by Mr. Ewing in the honorable house of which he was a member. One of the gentlemen examined, who had been a member of the same house, testified, that on being called upon by lieut. Lane, about a week before the conflict, as a friend, to bear a note to Mr. Ewing, demanding that the latter should withdraw something said by him, on some former occasion, he, the witness, distinctly understood from lieut. Lane, that the offence complained of, was not in his representative character. On the other hand, Mr. Ewing strongly testified before the court (having been requested to attend as a witness, in common with many other members of congress), that he never had the slightest personal altercation with lieut. Lane, or an unpleasant interview with him, prior to the rencounter now under the consideration of the court. It is proper to add, that lieut. Lane was induced, by the persuasion or advice of his friend, not to send the note mentioned to Mr. Ewing.

"Lieut. Lane, at the time he stated to Mr. Ewing the purpose of *punishing* or *chastising* the latter, assigned no cause for that intention. On the termination of the conflict, he declared that his purpose had been *publicly to disgrace* Mr. Ewing, and added, that he had (in his view of the case) *so disgraced him*.

"The court, in common no doubt, with the whole army, probably including lieut. Lane himself, deeply regret the rash transaction the particulars of which have been thus briefly recapitulated.

"By the constitution of the United States, it is declared that members of congress 'shall in all cases, except treason, felony and breach of the peace, be priviledged from arrest during their attendance at the session of their respective houses, and in going to, or returning from, the same.'

"The cases here enumerated, show the high importance, the people and the states attach to the uninterrupted services of their representatives in the two houses of congress, and if those representatives cannot be hindered from attendance, not even by the process of the courts of law in some criminal, and in all civil cases, it would seem against the *spirit*, if not the letter of the constitution, that officers set apart for the armed defence of the nation, and under the highest obligation to support the constitution, should be at liberty, from any cause, to prevent the attendance of members, by inflicting injuries on their persons.

"The conduct under consideration seems to be equally hostile to the *spirit* of the fifth article of war, in which congress has enacted, that *no officer shall use disrespectful words against the congress of the United States*, under the penalty of being severely punished by a court martial."

"The court of inquiry will not say that lieut. Lane might be arraigned for the conduct in question, under this article of the rules and articles of war, because its strict construction may only apply, to disrespectful words uttered against the members of the two houses collectively, and not against an individual member. The article is cited only to show the *spirit* of the legislation of the country on the subject, and as serving to mark that deference and forbearance which military men owe to the national legislature, and, by consequence, to its members individually, whilst the latter are engaged in the performance of their high functions."

"In conclusion—it may not be proper or expected, that this court should say, that, in its opinion, there is, or is not, ground for sending the case to a general court martial; but, whatever may be its impression on this point, it is sincerely hoped that nothing similar will ever again occur for legal investigation, or public censure.

WINFIELD SCOTT,
major general and president of the court."

II. The proceedings in the foregoing case having been submitted to the president of the United States, the general in chief has received, through the war department, the following directions of the president thereon:

Washington, March 12th, 1835.

SIR: I have perused with great care the proceedings of the court of Inquiry in the case of lieut. Lane of the United States army, accused of having committed an assault and battery on the person of hon. John Ewing, a member of congress from the state of Indiana. The cause which led to the unpleasant difficulty between these gentlemen, does not appear from the evidence, in positive terms; but it may be inferred, from the testimony of the hon. Robert T. Lytle, of Ohio, that it arose from remarks made by Mr. Ewing relative to some absent members of the family of lieut. Lane. But on the other hand in contradiction to this, is the testimony of Mr. Ewing. Be the cause what it may, the attack of a military officer of the government on a member of congress, during its session, was highly improper, and deserves reproof; but as neither the committee of the house of representatives, nor the court of inquiry, by whom the whole matter has been examined, have thought the conduct of lieut. Lane deserving further investigation, the secretary of war will cause the result to be made known, by general orders, as a public reprimand to lieut. Lane, and direct him to be relieved from his present duty, and report to his regiment. Respectfully, your obedient servant,

ANDREW JACKSON.

The secretary of war.

III Lieutenant Lane's appointment of assistant quarter master, is accordingly revoked. He will be relieved from duty at the Delaware breakwater, and proceed to join his company without delay.

The court of inquiry is dissolved, and the members thereof will repair to their respective stations.

By order of *Alexander Macomb*, major general, commanding in chief.

R. JONES, *adjt. general.*

GEN. JACKSON'S LETTER.

From the Nashville Republican, March 17.

Washington, Feb. 23, 1835.

My REV. SIR: I observe in the Nashville Republican of the 10th instant, an article headed "general Jackson's preference," which I think it my duty to notice.

All my friends know, that, since I have been in the executive chair, I have carefully abstained from an interference with the elective franchise; and have invariably acted upon the principle, that to the people belonged the exercise of this sacred right—uninfluenced by any considerations but those which related to the public good. And yet the editor of this paper, professing to entertain great respect for my character, undertakes to connect me personally with an attempt to divide the great body of republicans in the choice which they are to make of a president: and, by way of giving effect to his insinuation, appeals in the language of my bitterest enemies, *here and elsewhere*, to the independence of the people as a shield against "my dictation" which he supposes may be attempted.

Every one must see that the professions of the editor in that article are made to take the form of friendship, in order that he may more successfully carry out his purpose of opposing the great republican principles which I have endeavored to advance

as president of the United States:—and one of which, not to say the most important, is the necessity of looking above persons, in any exigency which threatens the ascendancy of those principles. All my friends must perceive, that to be consistent, my preference, as far as men are concerned, ought to be for him that is most likely to be the choice of the great body of republicans: and yet, if this individual should not be judge *White*, the editor of the Republican is ready to cry out "*dictation*."

Under such circumstances, seeing also that there are various misrepresentations of my views on this subject, I commit this letter to your discretion, in order that you may do me justice.

You are at liberty to say, on all occasions, that, regarding the people as the true source of political power, I am always ready to bow to their will and to their judgment: that, discarding all personal preferences, I consider the true policy of the friends of republican principles to send delegates, fresh from the people, to a general convention, for the purpose of selecting candidates for the presidency and vice presidency; and, that to impeach that selection before it is made, or to resist it when it is fairly made, as an emanation of executive power, is to assail the virtue of the people, and, in effect, to oppose their right to govern.

I send the paper containing the article I refer to, and request you to show this letter to the editor, in order that he may no longer misrepresent me. Acknowledge the receipt of this letter. I am, in haste, your friend,

ANDREW JACKSON.

The rev. *James Gwin*, Nashville, Tenn.

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Speaking of the late extraordinary letter of the president of the United States, on the subject of the presidential election, the New York Courier and Enquirer of Monday says:

"Our correspondent states that a postscript to the Nashville letter has been *suppressed* in the publication. This postscript directly charges Mr. *Bell*, speaker of the United States house of representatives, with having prepared the article in the Republican, of which general *Jackson* complains."

The following paragraph, from the Nashville Banner of the 20th March, which reached us yesterday, confirms this statement.

"We have now done with the letter as published, but must say a word as to *the postscript*, which was not published. *This postscript*, had it been kept private from the first, we should have had no right to allude to; but, as many have seen it, and as it is whispered about that it contains a reflection upon a member of congress high in the estimation of his constituents, and upon the editor of the Republican, it is due to those gentlemen that we should request that it be laid before the public."

As this request cannot well be refused, we suppose the next Nashville paper will bring us the postscript. [*Nat. Int.*

THE UNITED STATES AND INDIAN TRIBES.

IN THE SENATE—FEBRUARY 4.

Mr. *Clay* addressed the chair. He held in his hands, and begged leave to present to the senate, certain resolutions and a memorial, to the senate and house of representatives of the U. States, of a council met at Running Waters, consisting of a portion of the Cherokee Indians. The Cherokees (said Mr. C.) have a country—if indeed it can be any longer called their country—which is comprized within the limits of Georgia, Alabama, Tennessee and North Corolina. They have a population which is variously estimated, but which, according to the best information which I possess, amounts to about fifteen thousand souls. Of this population a portion, believed to be much the greater part, amounting, as is estimated, to between nine and ten thousand souls, reside within the limits of the state of Georgia. The senate was well aware, Mr. C. said, that for several years past it had been the policy of the general government to transfer the Indians to the west of the Mississippi river, and that a portion of the Cherokees have already availed themselves of this policy of the government, and emigrated beyond the Mississippi. Of those who remain, a portion—a respectable but also an inconsiderable portion—are desirous to emigrate to the west, and a much larger portion desire to remain on their lands, and lay their bones where rest those of their ancestors. The papers (said Mr. C.) which I now present emanate from the minor portion of the Cherokees; from those who are in favor of emigration. They present a case which appeals strongly to the sympathies of congress. They say that it is impossible for them to continue to live under laws which they do not understand, passed by authority in which they have no share, promulgated in language of which nothing is known to the greater portion of them, and establishing rules for their government entirely unadapted to their nature, education and habits. They say that destruction is hanging over them if they remain; that, their right of self-government being destroyed, though they are sensible of all the privations and hardships and sufferings of banishment from their native homes, they prefer exile, with liberty, to residence in their homes with slavery. They implore, therefore, the intervention of the general government, to provide for their removal west of the Mississippi, and to establish guarantees, never hereafter to be violated, of the possession of the lands to be acquired by them west of the Mississippi, and of the perpetual right of self government. This was the object of the resolutions and petition, which, Mr. C. said, he was about to offer to the senate.

But (said Mr. C.) I have thought that this occasion was one which called upon me to express the opinions and sentiments which I hold in relation to this entire subject, as respects n only the emigrating Indians, but those also who are desirous remain at home; in short, to express, in concise terms, my view of the relations, between the Indian tribes and the people of t United States, the rights of both parties, and the duties of t government in regard to them.

The rights of the Indians, Mr. C. said, were to be ascertaine in the first place, by the solemn stipulations of numerous tre ties made with them by the United States. It was not his pu pose to call the attention of the senate to all the treaties whi have been made with Indian tribes bearing on this particul topic: but he felt constrained to ask the attention of the sena to some portions of those treaties which have been made wi the Cherokees, and to the memorable treaty of Greenville, whi had terminated the war that previously thereto, for many yea raged between the United States and the north western Indi tribes. He found, upon consulting the collection of Indi treaties in his hand, that within the last half century, fourte different treaties had been concluded with the Cherokees, t first of which bore date in the year 1775, and some one or mo of which had been concluded under every administration of t general government, from the beginning of it to the prese time, except the present administration and that which imm diately preceded it. The treaty of Hopewell, the first in t series, was concluded in 1775, in the third article of which "t said Indians, for themselves and their respective tribes a towns, do acknowledge all the Cherokees to be under the pr tection of the U. States of America, *and of no other sovere whatsoever*." The 5th article of the same treaty provides th "If any citizen of the United States, or other person, not bei an Indian, shall attempt to settle on any of the lands westwa or southward of the said boundary, which are hereby allott to the Indians for their hunting grounds, or, having already se tled, and will not remove from the same within six months a ter the ratification of this treaty, such person shall forfeit t protection of the United States, and the Indians may puni him or not, as they please: provided nevertheless, that this a ticle shall not extend to the people settled between the fork French Broad and Holston rivers," &c.

The next treaty in the series, which was concluded after t establishment of the government of the United States, und the auspices of the father of his country, was in the year 179 on the banks of the Holston, and contains the following prov sion: "Art. 7. The United States solemnly guaranty to t Cherokee nation all their lands not hereby ceded." This Mr. said, was not an ordinary assurance of protection, &c, but *solemn guaranty* of the rights of the Cherokees to the lands question. The next treaty to which he would call the attentio of the senate was concluded in 1794, also under the auspices general Washington, and declares as follows: "The undersig ed, Henry Knox, secretary for the department of war, being a thorised thereto by the president of the United States, in beha of the said United States, and the undersigned chiefs and wa riors, in their own names, and in behalf of the whole Cheroke nation, are desirous of re-establishing peace and friendship b tween the said parties in a permanent manner, do hereby d clare, that the said treaty of Holston is, to all intents and pu poses, in full force, and binding upon the said parties, as we in respect to the boundaries therein mentioned, as in all othe respects whatever." This treaty, it is seen, *renews* the solem guaranty contained in the preceding treaty, and declares it be binding and obligatory upon the parties in all respects wha ever. Again: in another treaty, concluded in 1798, under th second chief magistrate of the United States, we find the fo lowing stipulations: "Art. 2. The treaties subsisting betwee the present contracting parties are acknowledged to be of fu and operating force; together with the construction and usag under their respective articles, and so to continue." "Art. The limits and boundaries of the Cherokee nation, as stipulate and marked by the existing treaties between the parties, sha be and remain the same, where not altered by the prese treaty."

There were other provisions, in other treaties, to which, if h did not intend to take up as little time as possible of the senat he might advantageously call their attention. He would, how ever, pass on to one of the last treaties with the Cherokee which was concluded in the year 1817. That treaty recognize the difference existing between the two portions of the Cher kees, one of which was desirous to remain at home and prose cute the good work of civilization, in which they had made som progress, and the other portion was desirous to go beyond th Mississippi. In that treaty, the 5th article, after several othe stipulations, concludes as follows: "And it is further stipula ed, that the treaties heretofore between the Cherokee natio and the United States are to continue in full force with bot parts of the nation, and both parts thereof entitled to all th privileges and immunities which the old nation enjoyed unde the aforesaid treaties; the United States reserving the right establishing factories, a military post, and roads within th boundaries above defined." And to this treaty thus emphat cally renewing the recognition of the rights of the Indians, signed the name, as one of the commissioners of the Unite States who negotiated it, of the present chief magistrate of th United States.

These were the stipulations in treaties with the Cherokee na tion, to which, Mr. C. said, he thought proper to call the atten tion of the senate. He would now turn to the treaty of Green ville, concluded about forty years ago, recognizing some gene

ral principles applicable to this subject. Mr. C. then quoted the 5th article of that treaty, as follows: "To prevent any misunderstanding about the Indian lands relinquished by the United States in the fourth article, it is now explicitly declared, that the meaning of that relinquishment is this: the Indian tribes who have a right to those lands are quietly to enjoy them, hunting, planting, and dwelling thereon so long as they please, without any molestation from the United States; but when those tribes, or any of them, shall be disposed to sell their lands, or any part of them, they are to be sold only to the United States; and until such sale, the United States will protect all the said Indian tribes in the quiet enjoyment of their lands against all citizens of the United States, and against all other white persons who intrude upon the same. And the said Indian tribes again acknowledge themselves to be under the protection of the said United States, and no other power whatever."

Such, sir, (said Mr. C.) are the rights of the Indian tribes. And what are those rights? They are, that the Indians shall live under their own customs and laws; that they shall live upon their own lands, hunting, planting and dwelling thereon so long as they please, without interruption or molestation of any sort from the white people of the United States, acknowledging themselves under the protection of the United States, and of no other power whatever; that when they no longer wish to keep the lands, they shall sell them only to the United States, whose government thus secures to itself the pre-emptive right of purchase in them. These rights, so secured by successive treaties and guaranties, have also been recognized on several occasions, by the highest judicial tribunals. Mr. C. here quoted from an opinion of the supreme court a passage declaring that the Indians are acknowledged to have an unquestionable and heretofore unquestioned right to their land, until it shall be extinguished by voluntary cession to this government.

But (said Mr. C.) it is not at home alone that the rights of the Indians within the limits of the United States have been recognized. Not only has the executive, the congress of the United States, and the supreme court, recognized these rights, but in one of the most important epochs of this government, and on one of the most solemn occasions in our intercourse with foreign powers, these rights of the Indian tribes have been acknowledged. You, sir, [addressing the president of the senate] will understand me at once to refer to the negotiation between the government of Great Britain and that of the United States, which had for its object the termination of the late war between the two countries. Sir, it must be within your recollection, and that of every member of the senate, that the hinge upon which that negotiation turned, the ground upon which it was for a long time apprehended that the conference between the commissioners would terminate in a rupture of the negotiation between two countries—was, the claim brought forward, on that memorable occasion, by Great Britain, in behalf of the Indians within the limits of the United States. It will be recollected that she advanced, as a principle from which she would not recede, as a *sine qua non*, again and again, during the progress of the negotiation, that the Indians, as her allies, should be included in the treaty of peace which the negotiators were about forming; that they should have a permanent boundary assigned them, and that neither Great Britain nor the United States should be at liberty to purchase their lands.

Such were the pretensions urged on that occasion, which the commissioners of the United States had felt it to be their imperative duty to resist. To establish as the boundary the line of the treaty of Greenville, as proposed, which would have excluded from the benefit of American laws and privileges a population of not less than a hundred thousand of the inhabitants of Ohio, American citizens, entitled to the protection of the government, was a proposition which the American negotiators could not for a moment entertain: they would not even refer it to their government, though assured that it would there meet the same unanimous rejection that it did from them. But it became a matter of some importance that a satisfactory assurance should be given to Great Britain that the war, which we were about to bring to a conclusion with her, should close also with her allies: and what was that assurance? Mr. C. said he would not trouble the senate with tracing the whole account of that negotiation, but he begged leave to call their attention to one of the passages of it. You will find, (said Mr. C.) on examining the history of the negotiation, that the demand brought forward by the British government through their minister, on this occasion, was the subject of several argumentative papers. Towards the close of this correspondence, reviewing the course pursued towards the aborigines by the several European powers which had planted colonies in America, comparing it with that of the United States, and contrasting the lenity, kindness, and forbearance of the United States, with the rigor and severity of other powers, the American negotiators expressed themselves as follows:

"From the rigor of this system, however, as practised by Great Britain, and all the other European powers in America, the humane and liberal policy of the United States has voluntarily relaxed. A celebrated writer on the law of nations, to whose authority British jurists have taken particular satisfaction in appealing, after stating, in the most explicit manner, the legitimacy of colonial settlements in America, to the exclusion of all rights of uncivilized Indian tribes, has taken occasion to praise the first settles of New England, and of the founder of Pennsylvania, in having purchased of the Indians the lands they resolved to cultivate, notwithstanding their being furnished with a charter from their sovereign. It is this example which the United States, since they became by their independence the sovereigns of the territory, have adopted and organized *into a political system*. Under *that system* the Indians residing in the United States are so far independent that *they live under their own customs, and not under the laws of the United States*; that their rights upon the lands where they inhabit or hunt *are secured to them by boundaries* defined in amicable treaties between the United States and themselves; and that whenever those boundaries are varied, it is also by amicable and voluntary treaties, by which they receive from the United States ample compensation for every right they have to the lands ceded by them," &c.

The correspondence was farther continued; and finally the commissioners on the part of Great Britain, proposed an article to which the American commissioners assented, the basis of which is a declaration of what is the state of the law between the Indian tribes and the people of the United States. They then proposed a farther article which declared that the United States should endeavor to restore peace to the Indians who had acted on the side of Great Britain, together with all the rights, possessions, privileges and immunities which they possessed prior to the year 1811, that is, antecedent to the war between England and the United States; in consideration that Great Britain would terminate the war so far as respected the Indians who had been allies of the United States, and restore to them all the rights, privileges, possessions and immunities which these also had enjoyed previously to the same period. Mr. President, I here state my solemn belief that, if the American commissioners had not declared the laws between the Indians and the people of this country, and the rights of the Indians to be such as they are stated to be in the extracts I have read to the senate; if they had then stated that any one state of this union who happened to have Indians residing within its limits, possessed the right of extending over them the laws of such state, and of taking their lands, when and how it pleased, that the effect would have been a prolongation of the war. I again declare my most solemn belief that Great Britain, who assented with great reluctance to this mutual stipulation with respect to the Indians, never would have done it at all, but under a conviction of the correspondence of those principles of Indian inter-national law, (if I may use such a phrase), with those which the United States government had respected ever since the period of our independence.

Sir, if I am right in this, let me ask whether in adopting the new code which now prevails, and by which the rights of the Indians have been trampled on, and the most solemn obligations of treaties have been disregarded, we are not chargeable with having induced that power to conclude a peace with us by suggestions utterly unfounded and erroneous?

Most of the treaties between the Cherokee nation of Indians and the United States have been submitted to the senate for ratification, and the senate have acted upon them in conformity with their constitutional power. Besides the action of the senate, as a legislative body, in the enactment of laws in conformity with their stipulations, regulating the intercourse of our citizens with that nation, it has acted in its separate character, and confirmed the treaties themselves by the constitutional majority of two thirds of its members. Thus have those treaties been sanctioned by the government of the United States and by every branch of that government; by the senate, the executive, and the supreme court; both at home and abroad. But not only have the rights of the Cherokees received all these recognitions; they have been, by implication, recognized by the state of Georgia itself, in the act of 1802, in which she stipulated that the government of the United States, and not the state of Georgia, should extinguish the Indian title to land within her limits; and the general government has been, from time to time, urged by Georgia to comply with its engagement from that period until the adoption of the late new policy upon this subject.

Having thus, Mr. President, stated, as I hope with clearness, the RIGHTS of the Indian tribes, as recognized by the most solemn acts that can be entered into by any government, let me, in the next place, inquire into the nature of the INJURIES which have been inflicted upon them; in other words, into the present condition of these Cherokees, to whom protection had been assured as well by solemn treaties as by the laws and guaranties of the United States government.

And here let me be permitted to say, that I go into this subject with feelings which no language at my command will enable me adequately to express. I assure the senate, and in an especial manner do I assure the honorable senators from Georgia, that my wish and purpose is any other than to excite the slightest possible irritation on the part of any human being. Far from it. I am actuated only by feelings of grief, feelings of sorrow, and of profound regret, irresistibly called forth by a contemplation of the miserable condition to which these unfortunate people have been reduced by acts of legislation proceeding from one of the states of this confederacy. I again assure the honorable senators from Georgia, that, if it has become my painful duty to comment upon some of these acts, I do it not with any desire to place them, or the state they represent, in an invidious position; but because Georgia was, I believe, the first in the career, the object of which seems to be the utter annihilation of every Indian right, and because she has certainly, in the promotion of it, far outstripped every other state in the union.

I have not before me the various acts of the state in reference to the Indians within her bounds; and it is possible I may be under some mistake in reference to them; and if I am, no one will correct the error more readily, or with greater pleasure.

If, however, I had all those laws in my hands, I should not now attempt to read them. Instead of this, it will be sufficient for me to state the effects which have been produced by them upon the condition of the Cherokee Indians residing in that state. And here follows a list of what has been done by her legislature. Her first act was to abolish the government of these Cherokees. No human community can exist without a government of some kind: and the Cherokees, imitating our example, and having learned from us something of the principles of a free constitution, established for themselves a government somewhat resembling our own. It is quite immaterial to us what its form was. They always had had some government among them: and we guaranteed to them the right of living under their own laws and customs, unmolested by any one: insomuch that our own citizens were outlawed should they presume to interfere with them. What particular regulations they adopted in the management of their humble and limited concerns is a matter with which we have no concern. However; the very first act of the Georgia legislature was to abolish all government of every sort among these people, and to extend the laws and government of the state of Georgia over them. The next step was to divide their territory into counties: the next, to survey the Cherokee lands; and the last, to distribute this land among the citizens of Georgia by lottery, giving to every head of a family one ticket, and the prize in land that should be drawn against it. To be sure there were many reservations for the heads of Indian families; and of how much did gentlemen suppose? of *one hundred and sixty acres only*, and this to include their improvements. But even to this limited possession the poor Indian was to have no fee simple title: he was to hold as a mere occupant at the will of the state of Georgia for just as long or as short a time as she might think proper. The laws at the same time gave him no one political right whatever. He could not become a member of the state legislature, nor could he hold any office under state authority, nor could he vote as an elector. He possessed not one single right of a freeman: No: not even the poor privilege of testifying to his wrongs in the character of a witness in the courts of Georgia, or in any matter of controversy whatsoever.

These, Mr. President, are the acts of the legislature of the state of Georgia, in relation to the Indians. They were not all passed at one session; they were enacted, time after time, as the state advanced further and further in her steps to the acquisition of the Indian country, and the destruction and annihilation of all Indian rights; until, by a recent act of the same body, the courts of the state itself are occluded against the Indian sufferer, and he is actually denied an appeal even to foreign tribunals, in the erection and in the laws of which he had no voice, there to complain of his wrongs. If he enters the hall of Georgia's justice, it is upon a surrender at the threshold of all his rights. The history of this last law, to which I have alluded, is this: When the previous law of the state dividing the Indian lands by lottery was passed, some Indians made an appeal to one of the judges of the state, and applied for an injunction against the proceeding; and such was the undeniable justice of their plea, that the judge found himself unable to refuse it, and he granted the injunction sought. It was that injunction which led to the passage of this act: to some of the provisions of which I now invite the attention of the senate. And first to the *title* of the act: "A bill to amend an act entitled an act more effectually to provide for the government and protection of the Cherokee Indians residing within the limits of Georgia, and to prescribe the bounds of their occupant claims; and also to authorise grants to issue for lots drawn in the late land and gold lotteries"—Ah, sir, it was the pursuit of *gold* which led the Spanish invader to desolate the fair fields of Mexico and Peru—"and to provide for the appointment of an agent to carry certain parts thereof into execution; and to fix the salary of such agent, and to punish those persons who may deter Indians from enrolling for emigration, passed 20th December, 1833." Well, sir, this bill goes on to provide "that it shall be the duty of the agent or agents appointed by his excellency the governor, under the authority of this or the act of which it is amendatory, to report to him the number, district and section of all lots of land subject to be granted by the provisions of said act, which he may be required to do by the drawer, or his agent, or the person claiming the same; and it shall be the duty of his excellency the governor, upon the application of the drawer of any of the aforesaid lots, his or her special agents, or the person to whom the drawer may have *bona fide* conveyed the same, his agent or assigns, to issue a grant therefor; and it shall be the duty of the said agent or agents, upon the production of the grant so issued as aforesaid by the grantor, his or her agent, or the person, or his or her agent to whom said land so granted as aforesaid may have been bona fide conveyed, to deliver possession of said granted lot to the said grantee, or person entitled to the possession of the same under the provisions of this act, or the act of which this is amendatory, and his excellency the governor is hereby authorised, upon satisfactory evidence that the said agent is impeded or resisted in delivering such possession, by a force which he cannot overcome, to order out a sufficient force to carry the power of said agent or agents fully into effect, and to pay the expenses of the same out of the contingent fund: *provided* nothing in this act shall be so construed as to require the interference of the said agent between two or more individuals claiming possession, by virtue of titles derived from a grant from the state to any lot."

Thus, after the state of Georgia had distributed the lands of the Indians by lottery, and the drawers of prizes were authorised to receive grants of the land drawn, and with these grants in their hand were authorised to demand of the agent of the state, appointed for the purpose, to be put in possession of the soil thus obtained; and if any resistance to their entry should be made, and who was to make it but a poor Indian? the governor is empowered to turn out the military force of the state, and enable the agent to take possession by force, without trial, without judgment, and without investigation.

But, should there be two claimants of the prize, should two of the ticket holders dispute their claim to the same lot, then no military force was to be used. It was only when the resistance was by an Indian—it was only when Indian rights should come into collision with the alleged rights of the state of Georgia, that the strong hand of military power was instantly to interpose.

The next section of the act is in these words: "And be it further enacted by the authority aforesaid, That if any person dispossessed of a lot of land under this act, or the act of which it is amendatory, shall go before a justice of the peace or of the inferior court, and make affidavit that he or she was not liable to be dispossessed under or by any of the provisions of this or the aforesaid act, and file said affidavit in the clerk's office of the superior court of the county in which said land shall lie, such person upon giving bond and security in the clerk's office for the costs to accrue on the trial, shall be permitted within ten days from such dispossessing to enter an appeal to said superior court and at said court the judge shall cause an issue to be made up between the appellant and the person to whom possession of said land was delivered by either of said agents, which said issue shall be in the following form"——

Mr. *Cuthbert*, of Georgia, here interposed; and having obtained Mr. *Clay*'s consent to explain, stated that he had unfortunately not been in the senate when the honorable senator commenced his speech; but had learned that it was in support of a memorial from certain Cherokee Indians in the state of Georgia, who desired to emigrate. He must be permitted to say, that the current of the honorable senator's remarks did not suit remarkably well the subject of such a memorial. A memorial of a different kind had been presented, and which the committee on Indian affairs had before it, to which the senator's remarks would better apply. The present discussion was wholly unexpected, and it seemed to him not in consistency with the object of the memorial he had presented.

Mr. *Clay* replied that he was truly sorry the honorable gentleman had been absent when he commenced speaking. He had delayed presenting the memorial because he observed that neither of the senators from Georgia was in his seat, until the hour when they might be expected to be present, and when one of them, (Mr. *King*), had actually taken his seat. If the honorable senator had been present he would have heard Mr. C. say that he thought the presentation of the memorial a fit occasion to express his sentiments, not only touching the rights of these individual petitioners, but on the rights of all the Indian tribes, and their relations to this government. And if he would have but a little patience he would find that it was Mr. C's intention to present propositions which went to embrace both resolutions.

Mr. *Clay* now resumed the course of his speech. And here, Mr. President, let me pause and invite the attention of the senate to the provision in the act of Georgia which I was reading, (the substance of which Mr. C. here repeated)—that is, that he may have the privilege of an appeal to a tribunal of justice by forms and by a bond with the nature and force of which he is unacquainted; and that then he may have—what beside? I invoke the attention of the senate to this part of the law. What, I ask, does it secure to the Indian? His rights? the rights recognised by treaties? the rights guarantied to him by the most solemn acts which human governments can perform? No. It allows him to come into the courts of the state, and there to enjoy the benefit of the summary proceeding called in the act "an appeal"—but which can never be continued beyond a second term; and when he comes there, what then? He shall be permitted to come into court and enter an appeal, which shall be in the following form:

"A B, who was dispossessed of a lot of land by an agent of the state of Georgia, comes into court, and admitting the right of the state of Georgia to pass the law under which agent acted, avers that he was not liable to be dispossessed of said land, by or under any one of the provisions of the act of the general assembly of Georgia, passed 20th December, 1833, 'more effectually to provide for the protection of the Cherokee Indians residing within the limits of Georgia, and to prescribe the bounds of their occupant claims, and also to authorise grants to issue for lots drawn in the land and gold lotteries in certain cases, and to provide for the appointment of an agent to carry certain parts thereof into execution, and fix the salary of such agent, and to punish those persons who may deter Indians from enrolling for emigration,' or the act amendatory thereof, passed at the session of the legislature of 1834: 'in which issue the person to whom possession of said land was delivered shall join; and which issue shall constitute the entire pleadings between the parties; nor shall the court allow any matter other

than is contained in said issue to be placed upon the record or files of said court; and said cause shall be tried at the first term of the court, unless good cuase shall be shown for a continuance, and the same party shall not be permitted to continue said cause more than once, except for unavoidable providential cause: nor shall said court at the instance of either party pass any order or grant any injunction to stay said cause, nor permit to be engrafted on said cause any other proceedings whatever.'"

At the same time we find, by another enactment, the judges of the courts of Georgia are restrained from granting injunctions, so that the only form in which the Indian can come before them is in the form of an appeal; and in this, the very first step is an absolute renunciation of the rights he holds by treaty, and the unqualified admission of the rights of his antagonist as conferred by the laws of Georgia: and the court is expressly prohibited from putting any thing else upon the record. Why? do we not all know the reason? If the poor Indian was allowed to put in a plea stating his rights, and the court should then decide against him, the cause would go upon an appeal to the supreme court; the decision could be re-examined, could be annulled, and the authority of treaties vindicated. But, to prevent this, to make it impossible, he is compelled, on entering the court, to renounce his Indian rights, and the court is forbidden to put any thing on record which can bring up a decision upon them.

Mr. President, I have already stated that, in the observations I have made, I am actuated by no other feelings than such as ought to be in the breast of every honest man, the feelings of common justice. I would say nothing, I would whisper nothing, I would insinuate nothing, I would think nothing, which can, in the remotest degree, cause irritation in the mind of any one, of any senator here, of any state in this union, I have too much respect for every member of the confederacy. I feel nothing but grief for the wretched condition of these most unfortunate people, and every emotion of my bosom dissuades me from the use of epithets that might raise emotions which should draw the attention of the senate from the justice of their claims. I forbear to apply to this law any epithet of any kind. Sir, no epithet is needed. The features of the law itself; its warrant for the interposition of military power, when no trial and no judgment has been allowed; its denial of any appeal, unless the unhappy Indian shall first renounce his own rights, and admit the rights of his opponent—features such as these are enough to shew what the true character of the act is, and supersede the necessity of all epithets, were I even capable of applying any.

The senate will thus perceive that the whole power of the state of Georgia, military, as well as civil, has been made to bear upon these Indians, without their having any voice in forming, judging upon, or executing the laws under which he is placed, and without even the poor privilege of establishing the injury he may have suffered by Indian evidence: nay, worse still, not even by the evidence of a white man! Because the renunciation of his rights precludes all evidence, white or black, civilized or savage. There then he lies, with his property, his rights and every privilege which makes human existence desirable, at the mere mercy of the state of Georgia; a state, in whose government or laws he has no voice. Sir, it is impossible for the most active imagination to conceive a condition of human society more perfectly wretched. Shall I be told that the condition of the African slave is worse? No sir, no sir. It is not worse. The interest of the master makes it at once his duty and his inclination to provide for the comfort and the health of his slave: for without these, he would be unprofitable. Both pride and interest render the master prompt in vindicating the rights of his slave, and protecting him from the oppression of others: and the laws secure to him the amplest means to do so. But who—what human being, stands in the relation of master or any other relation, which makes him interested in the preservation and protection of the poor Indian thus degraded and miserable? Thrust out from human society, without the sympathies of any, and placed without the pale of common justice, who is there to protect him, or to defend his rights?

Such, Mr. President, is the present condition of these Cherokee memorialists, whose case it is my duty to submit to the consideration of the senate. There remains but one more inquiry before I conclude. Is there any REMEDY within the scope of the powers of the federal government as given by the constitution? If we are without power, if we have no constitutional authority, then we are also without responsibility. Our regrets may be excited, our sympathies may be moved, our humanity may be shocked, our hearts may be grieved, but if our hands are tied, we can only unite with all the good, the Christian, the benevolent portion of the human family, in deploring what we cannot prevent.

But, sir, we are not thus powerless. I stated to the senate when I began, that there are two classes of the Cherokees; one of these classes desires to emigrate, and it was their petition I presented this morning; and with respect to these, our powers are ample to afford them the most liberal and effectual relief. They wish to go beyond the Mississippi, and to be guaranted in the possession of the country which may be there assigned to them. As the congress of the United States have full powers over the territories, we may give them all the guaranty which congress can express for the undisturbed possession of their lands. With respect to their case there can be no question as to our powers.

And then, as to those who desire to remain on this side the river, I ask again, are we powerless? Can we afford them no redress? Must we sit still, and see the injury they suffer, and extend no hand to relieve them? It were strange, indeed, were such the case. Why have we guarantied to them the enjoyment of their own laws? Why have we pledged to them protection? Why have we assigned them limits of territory? Why have we declared that they shall enjoy their homes in peace, without molestation from any? If the United States government has contracted these serious obligations, it ought, before the Indians were reduced by our assurances to rely upon our engagement, to have explained to them its want of authority to make the contract. Before we pretend to Great Britain, to Europe, to the civilized world, that such were the rights we would secure to the Indians, we ought to have examined the extent and the grounds of our own rights to do so. But is such, indeed, our situation? No sir. Georgia has shut her courts against these Indians. What is the remedy? *To open ours.* Have we not the right? What says the constitution? "The judicial power shall extend to all cases in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority."

But here was a case of conflict between the rights of the proprietors and the local laws; and here was the very case which the constitution contemplated, when it declared that the power of the federal judiciary should extend to all cases under the authority of the United States. Therefore, it was fully within the competence of congress, under the provisions of the constitution to provide the manner in which the Cherokees might have their rights decided, because a grant of the means was included in the grant of jurisdiction. It was competent, then, for congress to decide whether the Cherokee had a right to come into a court of justice and to make an appeal to the highest authority to sustain the solemn treaties under which their rights had been guarantied, and in the sacred character of which they had reposed their confidence. And if congress possessed the power to extend relief to the Indians, were they not bound by the most sacred of human considerations, the obligations of treaties, the protection assured them, by every Christian tie every benevolent feeling, every humane impulse of the human heart to extend it? If they were to fail to do this, and there was, as reason and revelation declared there was, a tribunal of eternal justice to which all human power was amenable, how could they, if they refused to perform their duties to this injured and oppressed, though civilized race, expect to escape the visitations of that Divine vengeance which none would be permitted to avoid who had committed wrong, or done injustice to others?

At this moment, when the United States were urging on the government of France the fulfilment of the obligations of the treaty concluded with that country, to the execution of which it was contended that France had plighted her sacred faith, what strength, what an irresistible force would be given to our plea, if we could say to France that, in all instances, we had completely fulfilled all our engagements, and that we had adhered faithfully to every obligation which we had contracted, no matter whether it was entered into with a powerful or a weak people; if we could say to her that we had complied with all our engagements to others, that we now came before her, always acting right as we had done, to induce her also to fulfil her obligations to us. How should we stand in the eyes of France and of the civilized world, if, in spite of the most solemn treaties which had existed for half a century, and had been recognised in every form, and by every branch of the government, how would they be justified if they suffered these treaties to be trampled under foot, and the rights which they were given to secure trodden into the dust? How would Great Britain, after the solemn understanding entered into with her at Ghent, feel after such a breach of faith? And how could he, as a commissioner on the negotiation of that treaty, hold up his head before Great Britain, after having been thus made an instrument of fraud and deception, as he assuredly would have been, if the rights of the Indians are to be thus violated, and the treaties by which they were secured violated? How could he hold up his head, after such a violation of rights, and say that he was proud of his country, of which they all must wish to be proud?

For himself, he rejoiced that he had been spared, and allowed a suitable opportunity to present his views and opinions on this great national subject, so interesting to the national character of the country for justice and equity. He rejoiced that the voice which, without charge of presumption or arrogance, he might say, was ever raised in defence of the oppressed of the human species, had been heard in defence of this most oppressed of all. To him, in that awful hour of death, to which all must come, and which, with respect to himself could not be very far distant, it would be a source of the highest consolation that an opportunity had been found by him, on the floor of the senate, in the discharge of his official duty, to pronounce his views on a course of policy marked by such wrongs as were calculated to arrest the attention of every one, and that he had raised his humble voice, and pronounced his solemn protest against such wrongs.

Mr. C. would no longer detain the senate, but would submit the following propositions:

Resolved, That the committee on the judiciary be directed to inquire into the expediency of making further provision, by law, to enable Indian nations, or tribes, to whose use and occupancy lands are secured by treaties concluded between them and

the United States, to defend and maintain their rights to such lands in the courts of the United States, in conformity with the constitution of the United States.

Resolved, That the committee on Indian affairs be directed to inquire into the expediency of making further provision, by law, for setting apart a district of country west of the Mississippi river, for such of the Cherokee nation as may be disposed to emigrate and to occupy the same, and for securing in perpetuity the peaceful and undisturbed enjoyment thereof to the emigrants and their descendants.

Mr. C. moved that the memorial and resolutions adopted by the council of the Running Waters be referred to the committee on Indian affairs, and printed.

As to his resolutions, he knew that in the regular order of business they could not be taken up until to-morrow, but, if it met with the approbation of the senate, he would be as well disposed to act on them to-day as to-morrow.

Mr. *Cuthbert* rose and said that he did not propose to enter into the discussion of the subject at this time; or at any time to the extent to which the senator from Kentucky had gone. It was one which could never be discussed here, for any useful purpose. Georgia did not plead before this tribunal. He did not stand here to plead in her behalf: The case was one which did not admit of that minute examination which the gentleman from Kentucky wished to give to it. For what purpose then was the address of the senator from Kentucky? Was it to secure to himself that praise which all had been previously so ready to yield to him—the praise of splendid rhetoric, of studied eloquence, of measured tones, of theatric start, of pathos of manner? He had already the credit of these. No one disputed his unrivalled claim to them. If the gentleman intended to play a theatrical part, the opportunity had been afforded him. "What part does Roscius next enact?"

The gentleman from Kentucky disclaimed any intention to make an attack on Georgia, yet he attacked her in the most insidious manner. He appeared, now and then, to approach Georgia with the most delicate regard to the pride and respectability of the state, as if he intended to withdraw himself from any purpose of assault. But the assault was made, and a wound was made more painful than death. The barb was steeped in venom, and the venom was in the affected candor which hung on the barb. Talk of regard to the state of Georgia, (said Mr. C.) and, at the same moment, recall to the recollection of the senate the story of Mexican wrongs, and the cruelties with which they are accompanied! He regretted that the gentleman from Kentucky should have been guilty of such an inconsistency. He ought to have avoided a reminiscence so incongruous and inapplicable. Talk of the dignity of Georgia, and taunt her with dealing in gold, and tell her of the gold of Peru and Mexico, and the deeds of cruelty which disgraced the invaders of those devoted countries. He asked not the candor and the respect of the gentleman from Kentucky, if such were their character. Such candor could have no value in his estimation. Talk of delicacy and respect to Georgia, yet tell her that her acts carried on their face a complexion which no epithets could make more odious! Away with all such respect and delicacy. He wanted no such for himself: he accepted none such for the state of Georgia.

The gentleman from Kentucky had reminded the senate that there was a day of final judgment at hand, when the state of Georgia would have to answer for her conduct to these poor Indians. Did the light of day shine, and not illuminate the gentleman from Georgia. If these Cherokees were to appear at that day of judgment to urge their wrongs against Georgia, where were the hosts of shades of all the original red men on this side of the Mississippi? Upon whom were they to seek revenge? It seemed that Georgia alone was to be held up to general odium, and held up she had been with all that powerful eloquence, for which he was willing to give the meed to the gentleman from Kentucky, who so well deserved it.

Mr. *White* felt it his duty to make a very few observations before the question was disposed of. He did not know, when he came into the senate this morning, of the intention of the senator from Kentucky to present the memorial; and he did not know that any thing he could say, would influence the proceedings of the senate, in relation to it. Still, the course of the remarks of the senator from Kentucky was such, as to call from him for some reply. The object of the memorial was one, of which he entirely approved. The memorialists, being a portion of the tribe of Cherokees residing within the limits of the state of Georgia, proposed to emigrate to the west of the Mississippi, and pray to have lands assigned them, where they may freely enjoy the exercise of their own laws, customs and religion, guarantied to them by the United States. If any additional legislation was necessary, to secure these blessings, to such Idians as were disposed to emigrate, it would give him (Mr. W.) the sincerest pleasure to aid in its accomplishment. But, in presenting the memorial and resolutions, the gentleman from Kentucky had gone into a discussion relative to the merits of the laws of the several states, for the government of the Indians within their limits. He did not think that any good was likely to result to the people of the United States, or the Indians themselves, from such discussions. It was a mistake, that would render any remedy that might be proposed for the evils under which the Indians now exist, entirely useless. What was the state of the Indians at the close of the revolutionary war? He had adverted to this for the purpose of letting these people understand their true condition, and what they were to expect from the people of the United States. Each state having asserted, and maintained its independence, thought that it had a right to govern any population within the limits of their territories. This right was secured to each of the states, by the articles of confederation, by which it was provided that the general government should never interfere with the bounds of the states, nor with their internal regulations.

The treaty of Hopewell, to which the gentleman from Kentucky referred, was made in 1785, and although the gentleman was correct in saying that the treaty provided that the Indians might govern themselves, yet that treaty did not pass with the concurrence of all the states. It was supposed, at the time, that many of these Indians resided in the country that is now the state of Tennessee, and the most of them in the state of North Carolina. Now, North Carolina, when she supposed that her rights would be invaded by this treaty, sent an agent there who protested against it, not once, only, but again and again. The same stand was taken by other states. The next treaty was made in 1791, but it was not then supposed that it was a treaty, under the treaty making power, recognized by the constitution. By looking at the old journals of congress, it would be found that gen. Washington had such doubts as to treaties with the Indian tribes being considered in the light of a treaty under the treaty making power, that he made it the subject of a special communication to congress, suggesting whether it might not interfere with the rights of a sovereign state. When North Carolina ceded her western lands to the United States, it was urged as one of the grounds for making the cession, that it would put it in the power of the United States to do better for these Indians than they otherwise could. Having secured this cession from North Carolina, the treaty of '91 was made, and if he (Mr. W.) was correctly informed, there was an express guaranty on the part of the United States to these Indians, though he had no doubt that general Washington believed it was for a portion of country over which the United States had exclusive jurisdiction, as well as ownership of the soil. There had been many treaties with the Indian tribes (he did not know how many) since that time, in all of which this guaranty was inserted, without adverting to the reason for which the original guaranty was made. It was undeniably true, as stated by the gentleman from Kentucky, that we had, in various treaties, guarantied to the Indians the territory in which they reside; but the state of Georgia denies that you have the right, under the treaty-making power, to make this guaranty of any portion of her territory secured to her by her independence. The states say you have no right to take from us any portion of our territory, whether for Indians, Germans, or any others, not citizens residing in their limits. The state of Georgia, said Mr. W. has extended her jurisdiction over the Indians within her limits. Alabama, Tennessee, and Mississippi, have done the same. They say that they are sovereign and independent states, and that you shall not interfere with any portion of their population. Now how are you to get over this? Can you expect these states to repeal their laws? Are you to employ the forces of the federal government to make four independent states yield to your demands? And what will be the consequences if you do? Why, civil strife and bloodshed enough to make any man shudder. What, he asked, would be the consequences to these Cherokees, if this strife commenced? Why they would be swept from the face of the earth, and before you could carry the gentleman's views into effect, there would not be a single Cherokee left to legislate for.

Mr. W. asked if it was good policy—would it be consulting the good of these Cherokees, to carry the plans of the senator from Kentucky into effect. Did any body suppose that they would be permitted to live as a distinct community within the limits of a sovereign state? Would it not be better to tell them at once that their only chance of preservation rests in being settled beyond the Mississippi, where they can, under the protection of the United States, enjoy their own laws and customs. He believed, Mr. W. said, that such of the Indians as were qualified to become members of the civilized population of the states, would, if they chose to remain, have equal laws extended to them. But, for the other portion of them, would it not be better for them to go where they could live distinct from the whites; where they could have guarantied to them in perpetuity, a suitable territory, and be governed by their own laws and customs? He had no doubt that there were many Cherokees—some within the sound of his voice, as well qualified to exist in any community, and participate in all the blessings of civilized life, as any portion of our community. But there were others, who, so far from being qualified for civilized society, found it a curse instead of a blessing. Could any man believe, that if you open the doors of your courts to such as these last, as contemplated by the gentleman from Kentucky, that they could derive any substantial benefit from it? What would a poor ignorant Indian do in your courts, with his 160 acres, or his 640 acres, when he has to contend with a white man? The consequence would be, that he would be ruined. No, the only mode yet devised to preserve them from utter extinction, as a race, was to remove them beyond the Mississippi. We have, said Mr. W. a large extent of country well fitted for their permanent location. The plan to remove them had been first designed by Mr. Jefferson, and had been followed up by every administration since his time; but he must be permitted to observe that, of all those public men whose writings treated on that subject, none had been more clear and lucid in their exposition of the plan;

none more convincing in their arguments for its utility, than the present secretary of war; and that no administration, from the time of Mr. Jefferson to this, had done so much towards carrying it into effect as the present one.

He was perfectly willing, Mr. W. said, to give the resolutions the direction pointed out by the honorable mover. He felt much for these Indians, and was ready to make any efforts to promote their comfort and happiness; but he could not, consistently with his sense of duty, forego the opportunity of making the public declaration, that the only way to benefit them was to remove them, and that they could not exist long as a distinct community, surrounded by a white population. He solemnly believed that this people was on the verge of ruin, and that the only rational hope of their preservation was their speedy removal. Every day that they delayed their departure was to their injury. Other tribes were emigrating to these western lands—many had already emigrated, and the Cherokees could not now obtain so desirable a location as they would have had, had they removed some years ago.

He was, he repeated, in favor of the objects of the memorial, had no objection to the reference of the resolutions, though he firmly believed that the plan of opening the courts of the United States to such Indians as chose to remain within the limits of a state, could not be carried into effect.

Mr. *Benton rose*, not for the purpose of taking part in the little discussion going on, but of calling up a voice far more powerful than his own—that of Mr. Jefferson. The gentleman from Georgia, (Mr. *Cuthbert*) had well drawn the distinction between arrangements made with the Indian tribes under our protection and treaties made with foreign sovereigns. It was very clear that those things *called* treaties with the Indians were not treaties recognized by the constitution of the United States. This was the ground also taken by the senator from Tennessee, originating with general Washington, when he had doubts whether he could with propriety communicate such treaties to the senate of the United States. It was true that the vote on them was taken in the usual form prescribed in the constitution for ratifying a treaty with a foreign power—that is by a majority of two-thirds; but this simple circumstance could not possibly alter their nature. When the word treaty was put in the constitution, that treaty only was meant which was known to the laws of nations. In the first place it was a treaty that must be made with a foreign nation; and, in the second place, it must be with a nation that had the power to contract a treaty. Were these treaties made with the Indian tribes, such as were recognized by writers on national law? He denied that it was permitted to statesmen to take such shallow views of a subject so exalted as treaties between two sovereign powers. How could these treaties with the Indians residing within the limits of a sovereign and independent state, be considered in the light of treaties recognized by the constitution! Was it to be supposed that one of the states of this union would ever have put it into the power of the federal government to barter away a portion of her territory! Look at the wandering bands of the Sioux, Kickapoos, Sacs and Foxes, with whom we have made similar treaties, and who do not possess even a blanket. Were they nations with whom treaties could be made under the treaty making power given by the constitution? Can we, asked Mr. B. make treaties which set at defiance the constitution and laws, by giving away the territory and interfering with the internal policy of a sovereign and independent state? It was a great and vital error of those judges who had declared these arrangements with the Indians to be the same things, as the treaties with foreign nations, that the federal government can make under the forms prescribed in the constitution. It was a great error to suppose that a treaty made with the *Yanktou* band of the Sioux (so poor, so miserable and so destitute, that there is not a blanket in the tribe, but they must protect themselves from the inclemency of the season with a Buffalo robe), was the same as that made with a foreign and independent nation. Let it be recollected that the same arrangement made with the southern Indians, miscalled a treaty, may be made with the miserable and degraded Yanktou band of the Sioux; and then let gentlemen say whether by any stretch of imagination or language these arrangements can be called treaties, under the treaty making power conferred by the constitution, and described by all the writers on national law. He begged pardon of the senate for detaining them while he said these few words. His only purpose in rising was to call to their attention the doctrines of Mr. Jefferson on this subject; and without further remark he would proceed to read a few sentences on the treaty making power.

"To what subjects this power extends has not been defined in detail by the constitution; nor are we entirely agreed among ourselves. 1. It is admitted that it must concern the foreign nation, party to the contract, or it would be a mere nullity, *res inter nos alios acta*. 2. By the general power to make treaties, the constitution must have intended to comprehend only those subjects which are usually regulated by treaty, and cannot be otherwise regulated. 3. It must have meant to accept out of these, the rights reserved to the states, for surely the president and senate cannot do, by treaty, what the whole government is interdicted from doing in any way."

The purpose for which he had risen, was to make the language of Mr. Jefferson known to the very respectable delegation of the Cherokees, who were then listening to the debate. He had known many of the Cherokees well, had enjoyed their hospitality, could bear testimony to the moral worth and excellent character of many of the nation; and his most anxious wish was to see the whole of them removed to a country where they could live happily in the enjoyment of their own laws and customs, undisturbed by the neighborhood of the whites. He wished, also , to make them understand, that they were deluding themselves, when they supposed that arrangements made with their tribe could be properly considered treaties, as known to the constitution, or that they could possibly exist as an independent community within the limits of a sovereign state.

Mr. *Clay* said, he could assure the honorable senator from Georgia, that nothing was further from his purpose, than to make any display on this occasion. That he always left to others, and by the judgment of the senate he was willing to abide, whether the honorable senator himself had not been guilty of that which he imputed to others. For, after addressing the senate, himself, some time, he had said that he did not intend arguing the question—that Georgia would not appear before the senate or any other tribunal. Now, Georgia might be content to do that, but could congress, could honorable senators, reconcile it with their duty—with their responsibility—to coldly contemplate the violation of numerous treaties, to witness the destruction of a people under the protection of the United States, and to let that injustice which had been inflicted on these unfortunate Cherokees, be perpetuated without the slightest notice on their part?

The gentleman from Tennessee (Mr. *White*) had remarked that they were all unconstitutional treaties; that they had no binding force as treaties; that general Washington was mistaken; that every succeeding administration was mistaken; that general Jackson himself was mistaken, in 1817, in regard to these treaties. Now, if they gave the argument of the honorable senator from Tennessee its full force, what was the consequence? What did he (Mr. *Clay*) offer? He said, merely to open the question to the court. If they had no validity, if the question which was sent to the judiciary did not rest upon treaties, they could vindicate no rights under them. Why had Georgia, if she believed there were no treaties, made provisions in her late act to which he had referred? Why shut out the rights of the Indians under the treaty? Why, if she was convinced of the unconstitutionality of the treaties, did she not allow them to be submitted to the federal judiciary, which was bound to declare that they were not obligatory and binding, if unconstitutional? Why has she studiously precluded the possibility of a review in the supreme court of the decisions of the local tribunals? But the gentleman had told the senate that the treaty of '91 was the first that guarantied to the Cherokees their lands, and that president Washington doubted whether it was necessary to submit it to the senate. It might be true, at the commencement of the government, when every thing was new and unfixed, that there were doubts; but general Washington decided that it was a treaty, and laid it, with his doubts, before the senate, who decided them, and the treaty was ratified by and with the consent of the senate. And from that day those doubts have remained dispelled. He was indebted to the honorable senator for the historical fact which he (Mr. C.) had not before pressed, that this very guaranty which secured to the Indians the undisturbed possession of their lands in the treaty of '91, was inserted by the express direction of the father of his country. And the senate was called upon now, not merely to violate the solemn obligations which the whole nation had contracted, but to violate the provision which had been inserted at the instance of the venerated father of his country!

The honorable senator had told this body that the treaty of '91 was the first in which there was any guaranty. If the gentleman meant to say it was the first in which there was any *express* guaranty, he (Mr. *Clay*) would admit it. But, in the treaty of '85, if it was not expressed, was it not implied? What was that clause marking the boundaries of their territory? That, in the same treaty, which places the Indians under the protection of the United States, and excludes them from the authority of any other sovereign? And that, which outlaws citizens of the United States who intrude in their territory? What was the meaning of those clauses, if they did not, by implication at least, guaranty their rights, their property, and the peace of their country? But, the gentleman says that in inserting the guaranty of '91, there was a mistake: it was supposed that it was without the limits of North Carolina and other states; a mistake which run through all the treaties from that time down to 1817, which renewed and enforced the pre existing treaties. So that general Jackson himself had been acting under a mistake when he signed the treaty of 1817. Is it possible that, if a mistake were committed as early as 1791, it would not have been corrected in some of the various treaties negotiated as late as 1817?

The senator had said also that the states had a right to extend their laws over all the territories and people within their limits, as defined by the treaty of '83. Why, that was the very question under consideration—the identical question to be submitted to the judiciary. He (Mr. C.) contended that the states had no right to extend their laws over that portion of the territory assigned to the Indians, or over the Indians dwelling upon it. And that is the exact question which his resolution proposes to be submitted to the determination of the judiciary; and which the late act of Georgia carefully shuns.

But the senator from Tennessee had asked "what will the poor Indian, with his 640 acres of land, do contending for his rights in a court of justice?" Why, he (Mr. C.) would admit that his condition would be miserable enough; but it was all

they could do for him; and they were bound to do all they could under the constitutional power they possessed to maintain his rights. But, he would ask, what was to prevent these Indians, in their corporate or collective character, from bringing their grievances before the courts? Nothing. And, that they were competent to this, we had only to look at the state papers which had emanated from them—and which did them immortal credit—to be convinced. The senator from Tennessee asked "what the states would do? Would they array the federal power against the power of the state governments, and thus produce that condition of things which must result in the Indians being stricken from the face of the earth?" Did not the honorable senator remember the period when a state of this union was actually arrayed and marshalled to defend its interpretation of the constitution? He was hearty in the support of the force bill; he did not stop to look at the possible consequences of a civil war. He [Mr. C.] gave it his reluctant and most painful support. He would gladly have turned the bitter cup from his lips, but he felt it to be his duty to sustain the authority of the general government; and, after giving to the subject the most solemn and serious consideration, he felt himself constrained to sustain that measure. And he went along with the senator from Tennessee upon the principle, now denied by him, that the federal authority must maintain its dignity. He went upon the ground, now abandoned by the senator from Tennessee, that no state ought to array itself against the constitutional powers of this government.

How was the fact up to the period of 1829? The gentleman from Tennessee tells us the true policy of this government is to send these poor creatures beyond the Mississippi, and that there is no impediment in the obligations of subsisting treaties. Never, until the new light burst upon us, that hundreds of Indian treaties, made during a period of half a century, under almost every administration of the government, concluded and ratified with all the solemn forms of the constitution, and containing the most explicit guaranties and obligations of protection to the Indians, and of security to their possessions, were mere nullities, was it supposed competent to effect a compulsory removal of the Indians beyond the Mississippi. It is true that the policy of removing them has been long entertained; was contemplated by Mr. Jefferson; but it was a free, voluntary and unconstrained emigration. No one, until of late, ever dreamt of a forcible removal, against their consent, accomplished either by the direct application of military power, or by cruel and intolerable local legislation. He wished that they would voluntarily remove. He believed that absorption or extinction was the only alternative of their remaining in the bosom of the whites. But they were a part of the human race, as capable as we are of pleasure and pain, and invested with as indisputable a right as we have to judge of and pursue their own happiness.

It is said that annihilation is the destiny of the Indian race. Perhaps it is, judging from the past. But shall we therefore hasten it? Death is the irreversible decree pronounced against the human race. Shall we accelerate its approach because it is inevitable? No, sir. Let us treat with the utmost kindness and the most perfect justice the aborigines whom Providence has committed to our guardianship. Let us confer upon them, if we can, the inestimable blessings of Christianity and civilization, and then, if they must sink beneath the progressive wave of civilized population, we are free from all reproach, and stand acquitted in the sight of God and man.

The senator from Tennessee has left the senate under the impression, no doubt unintentionally, that three other states had advanced as far as Georgia in the exercise of a jurisdiction over the Indians and their property. But if he were rightly informed, this was far from correct. North Carolina had exercised no such jurisdiction. She had not touched a hair upon the head of any Indian. Tennessee had extended her laws to the Indian country for the sole purpose of protecting the Indians, and punishing the white intruders. Her upright judges and tribunals concurred, unanimously, if he were rightly informed, in supporting the Indian rights. No state, he believed, but Georgia, had seized upon the Indian lands, and distributed them among the whites. From the commencement of our independence down to this time, there was not another instance of such seizure and appropriation by any other member of the confederacy.

Mr. C. assured the senator from Georgia that he had not sought for the position in which he was placed. It was sought of him. He was applied to by the unfortunate Cherokees to present their case to the senate. And he should have been false and faithless to his own heart, and unworthy of human nature, if he had declined to be their organ, however inadequate to have proved himself to be.

On the whole, then, said Mr. C. the resolutions proposed an inquiry into the suitableness of making further provision for the Cherokees who choose to emigrate beyond the Mississippi, and in regard to those of them who will not go, but who prefer to cling to the graves of their forefathers, and to the spot which gave them birth, in spite of any destiny impending over them, the resolution proposes that, since Georgia has shut her courts against them, we should inquire whether we should not open those of the federal government to them, and ascertain whether, according to the constitution, treaties and laws, we are capable of fulfilling the obligations which we have solemnly contracted.

Mr. Corbbert, in rising again, had no intention to reply to the senator from Kentucky. The true question was certainly the one which that gentleman presented—the question was, what was due to humanity, to the human race, to justice, and to the best feelings of the human heart? He was ready to meet the gentleman at any time on those questions. But would the senator speak of the negotiations at Ghent and apply them to our negotiations with Indian tribes? The senator is not serious—he mocks at us, said Mr. C. when he does so. Such negotiations as with a foreign power could neither be held with savage tribes, under the treaty-making power the gentleman spoke of, nor consistently with the obligations which bound this government not to interfere with the territory of a sovereign state. Would the gentleman dare to outrage American feeling, by permitting the British negotiators at Ghent to prescribe rules for the government of a population within our borders? Would he, as an American negotiator, dare to permit a foreign nation to interfere with our internal regulations?

The memorial of the Cherokees was then referred to the committee on Indian affairs, and Mr. *Clay*'s resolutions laid on the table for one day.

From the National Intelligencer of March 28.

THE UNITED STATES AND THE CHEROKEES.

The official journal of yesterday contains the draft of "a treaty agreed upon at the city of Washington, March 14th, 1835, between J. F. Schermerhorn on the part of the United States, and a delegation of the Cherokee tribe of Indians, which, by the president of the United States, is directed to be submitted to the Cherokee nation of Indians, for their consideration and approbation." This treaty is to be submitted to the people of the Cherokee nation, after due notice, &c. "for their concurrence and adoption; and if it shall appear, after a fair, free and full expression of their sentiments, that a majority of the people are in favor of the treaty, it shall be considered as approved and confirmed by the nation; and their whole country shall be deemed to be ceded, and their claim and title to it to cease."

The fundamental article of the treaty is in the following words:

"The Cherokee nation of Indians, for and in consideration of the additional quantity of land [which the Indians are to receive in exchange beyond the Mississippi] guaranteed and secured to them by the third article of this treaty, and of the fulfilment of the covenants and stipulations hereinafter mentioned, and also of the sum of four millions five hundred thousand dollars, to be expended, paid and invested, as agreed in the following articles, do hereby cede, relinquish and convey to the United States, all their right and title to all the lands owned, claimed and possessed by them, including the lands reserved by them for a school fund, east of the Mississippi river."

The additional quantity of land above referred to is seven millions of acres.

The treaty contains a number of articles specifying the manner in which the consideration money of this treaty (four millions and a half of dollars) shall be applied, the several particulars of which are summed up, at the close of the treaty, in the following schedule.

For removal	$255,000 00
Subsistence	400,000 00
Improvements and ferries	1,000,000 00
Claims and spoliations	250,000 00
Domestic animals	10,000 00
National debts	60,000 00
Public buildings	30,000 00
Printing press, &c.	5,000 00
Blankets	36,000 00
Rifles	37,000 00
Kettles	7,000 00
Per capita allowance	1,800,000 00
General fund	400,000 00
School fund	160,000 00
Orphans' fund	50,000 00
Additional territory [valued at]	500,000 00
	$5,000,000 00
School fund already invested	48,251 70
Commutation of perpetual annuity	214,000 00
	$5,262,251 70

These allowances, with their distribution, appear to us to be exceedingly liberal, to say the least of them. Their white brethren in most of the states may envy them the possession of revenues and estates far beyond their reach.

The treaty is to take effect when ratified by a majority of the Cherokees, and by the president by and with the advice and consent of the senate of the United States.

We add the following—

The population being about 15,000 souls, and the amount $5,262,000, the division of property is equal to about 350 dollars *per capita!*—or, for a family of five persons 1,750 dollars—if only 10,000 souls, as stated by the president, 500 dollars *each!* It is well said "that their white brethren in most of the states may envy them the possession of revenues and estates far beyond their reach."

In addition to the seven millions of acres granted, the United States guaranties to the Cherokee nation a perpetual outlet west, and a free and unmolested use of the country lying west of the western boundary of the seven millions of acres, as far west as the sovereignty of the United States, and their right of soil extend—and also 800,000 acres additional.

The time allowed for the removal is two years, after are ratification of the treaty.

To the Cherokee tribe of Indians east of the Mississippi river.

My friends: I have long viewed your condition with great interest. For many years I have been acquainted with your people, and under all variety of circumstances, in peace and war. Your fathers were well known to me, and the regard which I cherished for them has caused me to feel great solicitude for your situation. To these feelings, growing out of former recollections, have been added the sanction of official duty, and the relation in which, by the constitution and laws, I am placed towards you. Listen to me, therefore, as your fathers have listened, while I communicate to you my sentiments on the critical state of your affairs.

You are now placed in the midst of a white population. Your peculiar customs, which regulated your intercourse with one another, have been abrogated by the great political community among which you live; and you are now subject to the same laws which govern the other citizens of Georgia and Alabama. You are liable to prosecutions for offences, and to civil actions for a breach of any of your contracts. Most of your people are uneducated, and are liable to be brought into collision at all times with their white neighbors. Your young men are acquiring habits of intoxication. With strong passions, and without those habits of restraint which our laws inculcate and render necessary, they are frequently driven to excesses which must eventually terminate in their ruin. The game has disappeared among you, and you must depend upon agriculture and the mechanic arts for support. And, yet, a large portion of your people have acquired little or no property in the soil itself, or in any article of personal property which can be useful to them. How, under these circumstances, can you live in the country you now occupy? Your condition must become worse and worse, and you will ultimately disappear, as so many tribes have done before you.

Of all this I warned your people, when I met them in council eighteen years ago. I then advised them to sell out their possessions east of the Mississippi and to remove to the country west of that river. This advice I have continued to give you at various times from that period down to the present day, and can you now look back and doubt the wisdom of this counsel? Had you then removed, you would have gone with all the means necessary to establish yourselves in a fertile country, sufficiently extensive for your subsistence, and beyond the reach of the moral evils which are hastening your destruction. Instead of being a divided people as you now are, arrayed into parties bitterly opposed to each other, you would have been a prosperous and a united community. Your farms would have been open and cultivated, comfortable houses would have been erected, the means of subsistence abundant, and you would have been governed by your own customs and laws, and removed from the effects of a white population. Where you now are, you are encompassed by evils, moral and physical, and these are fearfully increasing.

Look even at the experience of the last few years. What have you gained by adhering to the pernicious counsels which have led you to reject the liberal offers made for your removal? They promised you an improvement in your condition. But instead of that, every year has brought increasing difficulties. How, then, can you place confidence in the advice of men who are misleading you for their own purposes, and whose assurances have proved, from the experience of every year, to be utterly unfounded?

I have no motive, my friends, to deceive you. I am sincerely desirous to promote your welfare. Listen to me, therefore, while I tell you that you cannot remain where you now are. Circumstances that cannot be controlled, and which are beyond the reach of human laws, render it impossible that you can flourish in the midst of a civilized community. You have but one remedy within your reach. And that is, to remove to the west and join your countrymen, who are already established there. And the sooner you do this, the sooner you will commence your career of improvement and prosperity.

A number of your brethren, who have been delegated by that portion of your people favorable to emigration, have repaired to this place, in the hope of being able to make some arrangement, which would be acceptable to the government of the United States, and which would meet your approbation. They do not claim the right of making any arrangement which would be binding upon you; but have expressly stated, that whatever they did would be utterly void, unless submitted to and approved by you.

The whole subject has been taken into consideration, and an arrangement has been made, which ought to be, and I trust will be, entirely satisfactory to you. The senate of the United States have given their opinion of the value of your possessions; and this value is insured to you in the arrangement which has been prepared. Mr. John Ross, and the party who were with him, expressed their determination to accept, so far as they were concerned, such a sum as the senate might consider just, and promised to recommend and support the same in your general council. The stipulations contained in this instrument, are designed to afford due protection to private rights, to make adequate provision for the poorer class of your people, to provide for the removal of all, and to lay the foundation of such social and political establishments in your new country as will render you a happy and prosperous people. Why, then, should any honest man among you object to removal? The United States have assigned to you a fertile and extensive country, with a very fine climate adapted to your habits, and with all the other natural advantages which you ought to desire or expect.

I shall, in the course of a short time, appoint commissioners for the purpose of meeting the whole body of your people in council. They will explain to you, more fully, my views, and the nature of the stipulations which are offered to you.

These stipulations provide:

1st. For an addition to the country already assigned to you west of the Mississippi, and for the conveyance of the whole of it by patent, in fee simple. And also for the security of the necessary political rights, and for preventing white persons from trespassing upon you.

2d. For the payment of the full value to each individual, of his possession in Georgia, Alabama, N. Carolina and Tennessee.

3d. For the removal, at the expense of the United States, of your whole people; for their subsistence for a year after their arrival in their new country, and for a gratuity of one hundred and fifty dollars to each person.

4th. For the usual supply of rifles, blankets and kettles.

5th. For the investment of the sum of four hundred thousand dollars, in order to secure a permanent annuity.

6th. For adequate provision for schools, agricultural instruments, domestic animals, missionary establishments, the support of orphans, &c.

7th. For the payment of claims.

8th. For granting pensions to such of your people as have been disabled in the service of the United States.

These are the general provisions contained in the arrangement. But there are many other details favorable to you which I do not stop here to enumerate, as they will be placed before you in the arrangement itself. Their total amount is four millions five hundred thousand dollars, which added to the sum of five hundred thousand dollars, estimated as the value of the additional land granted you, makes five millions of dollars. A sum, which if equally divided among all your people east of the Mississippi, estimating them at ten thousand, which I believe is their full number, would give five hundred dollars to every man, woman and child in your nation. There are few separate communities, whose property, if divided, would give to the persons composing them, such an amount. It is enough to establish you all in the most comfortable manner; and it is to be observed, that besides this, there are thirteen millions of acres conveyed to the western Cherokees and yourselves by former treaties, and which are destined for your and their permanent residence. So that your whole country, west of the Mississippi, will contain not less than thirteen millions eight hundred thousand acres.

The choice now is before you. May the Great Spirit teach you how to choose. The fate of your women and children, the fate of your people to the remotest generation, depend upon the issue. Deceive yourselves no longer. Do not cherish the belief that you can ever resume your former political situation, while you continue in your present residence. As certain as the sun shines to guide you in your path, so certain is it that you cannot drive back the laws of Georgia from among you. Every year will increase your difficulties. Look at the condition of the Creeks. See the collisions which are taking place with them. See how their young men are committing depredations upon the property of our citizens, and are shedding their blood. This cannot and will not be allowed. Punishment will follow, and all who are engaged in these offences must suffer. Your young men will commit the same acts, and the same consequences must ensue.

Think then of all these things. Shut your ears to bad counsels. Look at your condition as it now is, and then consider what it will be if you follow the advice I give you. Your friend.

Signed, ANDREW JACKSON.

Washington, March 16th 1835.

We see the following communication in the *Pittsburgh Gazette* of March 27.

CHEROKEE DELEGATES.

Mr. John Ross, principal chief of the Cherokee nation, and Daniel McCoy, Richard Taylor, Samuel Gunter, and William Rogers, delegates of the nation, have this morning left Pittsburgh to return home. They have been altogether unsuccessful in their attempts to negotiate with our government, and going to their families with blighted hopes, and without any definite purpose.

The country to which our government proposed to remove them, they regard as unhealthy, and represent as subject to extreme variability of temperature, intolerable to those who have been habituated to the mild Alabama region.

The Cherokees, by these agents, proposed to our government to take for their lands the amount which it was computed their removal to the Arkansas territory (including all expenses of purchases) would otherwise cost the U. S. government; and, then, they would remove to Texas, and buy lands there at their own risk. That amount was stated of $20,000,000, which would be something less than two dollars per acre for their lands—and less, as many persons think, than the United States could sell out the lands for, but this offer has been refused.

The last news they received from their homes is, that Mr. Ross's wife and family have been turned out of their house by the U. S. authorities, and were living in great discomfort among their persecuted friends; and Mrs. McCoy states that she every day expects to share the same fate.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞A supplement of eight pages accompanies the present sheet.

Our accounts from *England* and *France* are of great interest, as will be seen by referring to them. The new British ministry have a small majority against them, but will not resign—*they will overcome it.* The king of France is in much trouble—but had formed a new ministry. It was firmly believed that the American indemnity bill would pass, whoever may be the ministers; for that matter would be made a cabinet measure.* The emperor of *Austria* is dead, but his successor would pursue the dull march of despotism laid down by *Metternich*, &c.

The quantity of produce offered for transportation on the Baltimore and Ohio rail road, has so far exceeded expectation this spring, that the number of cars, although increased to twelve hundred and upwards, are found to be inadequate to receive it as rapidly as it is offered.—There is already a great accumulation at the Point of Rocks and Harper's Ferry, although the quantity brought to this city greatly exceeds the receipts here of any former year during the same period. [*Balt. Gaz.*

The council of *Baltimore* has decided that the PERMANENCY of the railways laid down in the city is necessary to the prosperity thereof. It passed in the first branch 14 to 10; in the second 8 to 3. So the question, as to these ways, is settled.

We learn from the Williamsport Banner of Saturday, that the water was let into the canal below that place on the 1st inst. and it was expected that, in a very few days, the canal would be navigable the whole distance from dam No. 5, above Williamsport, to Washington city. The Banner says—"The basin at the foot of Potomac st. has been for upwards of a week past, crowded with boats, arks, &c. laden with coal and flour, and that the busy, bustling appearance which the arrival of the boats has given to that part of the town, in the vicinity of the canal, is truly gratifying, and brings to mind the wharves of a commercial city."

All the stock in the Wilmington and Susquehannah rail road being taken, and the election of officers had,—preparations are making for an immediate commencement of the work, to which great despatch will be given—the difficulties being light, except in the passage of the streams which it will cross; and, as the stock in the rail road from Baltimore to the Susquehannah, (which laid dormant) has since been subscribed for, we have a fair prospect that a continuous line of rail roads may soon be hoped for from *Baltimore* to *Philadelphia*, and from the latter city to *Boston*.

The commissioners of the New York and Erie rail road were to open a subscription for two millions of dollars, on the 15th inst. notwithstanding the state has refused to support the work—five dollars per share to be paid on subscribing. "It is understood," say the commissioners, "that no further issue of stock will be made within two years, and that it is the object of the company, before the expiration of that period, with this and the former subscription, to put such portion of their road in operation, as will, they confidently believe, yield a profitable return on the cost thereof."

The fine steamboat Patrick Henry, which has been in our harbor for some time past for the purpose of undergoing alterations and receiving a complete overhauling, left this city on Saturday morning last for Norfolk and James river, and arrived at Norfolk in the evening! It is called 200 miles.

The Belfast (Me.) Advocate of April 2d, says—The snow, we learn, is 4 or 5 feet deep in the woods—and the sleighing is, at the time of this writing, excellent.

The protracted cold and snow of this winter has been propitious to farmers and lumbermen, and by the latter it is understood a greater quantity of logs will be ready for market than ever before at one time. Every indication is favorable to an early freshet to bring the logs to the mills; and thus this season, unlike the last, opens to those engaged in the milling or lumber business, with the most flattering prospects. It is calculated that there will be sawed upon the Penobscot this year 150,000,000 feet of boards, which will sell, at the mills, for nearly three millions of dollars! The immense resources of this section of the state, are but just being developed and understood.

A New Orleans paper of March 20, says—In 1830 our population was about 60,000, perhaps now 85,000, and no doubt will be in ten years from that time, when the census will again be taken, 130,000; its greatest accession being by emigrants, all superindueed here by our vast trade; our locality is becoming every year more and more calculated for their residence: our streets paved and water running through them; our city lighted up with gas; our municipal regulations more harmonised to its wants. This increase of population and improvement of our locality, bears but a small proportion of the gradual increase of population, and improvement of the face of the vast valley of the Mississippi.

The editor of the Mobile Advertiser, under date of the 23d ult. mentions having been presented with a mess of Irish potatoes and asparagus, the growth of the present season.

Dr. *Julius*, of Hamburg, the agent for the Prussian government, in the inspection of the penitentiaries and examination of the prison discipline generally of the United States, was in Charleston, South Carolina. The Courier says, Dr. *Julius* is a gentleman of intelligence and science, advantageously known as the conductor of a journal at Berlin, teeming with well written articles on the important and interesting subject of his present tour. His information relative to prison discipline, and the influence of education on crime, gathered from a knowledge of the prisons of Europe, and increased by an inspection of those in the United States, probably surpasses that of any individual living. He is said to give a decided preference to the *paternal* system for the reformation of criminals, now in such successful operation at the Philadelphia penitentiary.

We understand that the "*Malleable* cast iron and steel company," the corporation so much opposed in our legislature, have accepted their charter with its three hundred thousand dollars capital, and are now getting their

*A letter to the editor of the *New York Courier*, however, says—"You will find in the newspapers, numerous articles in relation to this treaty of indemnity. Believe nothing of them. They are the produce of the brain of writers at so much a line. In the midst, however, of the facts published, are the following, which appear to me worthy of attention, and I think you will have time to reply to them. In 1807, the American frigate Chesapeake was attacked by the English. The ships Nimrod, Aurora and Ceres were pillaged, and two hundred thousand dollars taken from them. The English pressed men from every American vessel they met. The American newspapers of that period are full of the complaints of the merchants of Boston, New York, &c. &c. However, no war immediately followed between England and America. And in the treaty of peace of 24th December, 1814, there was neither in the preamble, nor in the articles, a single word about reparation or indemnity for these acts of violence. No public man here is aware that at any period whatever America claimed reparation for these acts from England—why then should she ask it of France? [America offered these things as *causes* of the war that followed.]

works under way at east Boston. The stock has been entirely taken, and is now held at a considerable advance. The company have purchased a large tract of land at east Boston, on which there is a spacious stone and brick factory already erected, and a large dwelling house for operatives now building. It is probable that they will proceed to casting in about two months. [*Bost. Atlas.*

—

The York Gazette says, the Codorus navigation is in fine order, and infers, from appearances, that the present will be a good season for business on this useful work. There had been a number of arrivals, already, at the port of York.

The Susquehannah river, as we learn from the Harrisburgh Chronicle of Monday, has been covered with descending arks and rafts, during the past week.

—

A Natchez paper says—

Captain English, of the steamer Lady Washington, informs us that during his last trip up Red river he went 100 miles further up after freight than any one has gone heretofore.

Captain Shreeve has penetrated into the raft one hundred and five miles. He has forty-five miles more of the raft to remove, when his truly Herculean undertaking will be accomplished. The country above the raft is rapidly filling up with emigrants from all quarters. When captain Shreeve shall have accomplished his object, the lands in that quarter, the navigation being open to the Mississippi, will become valuable.

—

The Portland Courier says that the governor of Maine has appointed John Anderson, of Portland, and Peter H. Green, of Bath, pursuant to a resolve of the legislature, to visit the Canadas for the purpose of consulting with the inhabitants upon the practicability and the means of a rail road communication with the seaboard of Maine.

—

We saw yesterday, at one of our dry good stores, two bales of domestic cottons, manufactured by Cunningham & Anderson, Richmond, Va. The article is equal in every respect to that made in Rhode Island, and sells at the same price, 12½ cents per yard, by the piece. The effect of encouraging domestic manufactures is clearly seen in this article. During the last war with Great Britain, when we were dependent on that nation for nearly all our wearing apparel, this quality of cotton goods sold for 50 cents a yard, and the merchant, who now offers this for sale, remembers paying 62½ cents a yard in one of the counties of this state not far from tide water. The circumstance is fixed upon his memory from the fact of his laying out all the money he had to furnish himself with a knapsack on setting out for Norfolk, to repay with bullets the British extortioners.

[*Wheeling Gazette.*

—

The value of the produce directly shipped from *Richmond*, during the first quarter of the present, year was $920,850.

—

The following important proceedings have taken place in *Pennsylvania*. We copy from the "Harrisburgh Intelligencer."

An act confirming an act passed by the legislature of Ohio, incorporating the Pennsylvania and Ohio canal company, passed the house on its final passage on Saturday. This canal commences at the end of the Beaver division of the Pennsylvania canal and extends along the Mahoning creek to the Ohio state line, and from thence to the Ohio canal on the Portage summit.

An act guarantying five per cent. on $150,000 stock of the Tioga navigation company, passed both on second and third reading, and was transmitted to the senate on Saturday.

We are happy in being able to give the information to our readers, that this important bill [a bill to make a canal to the tide], passed the senate, on Saturday morning, and was sent to the house by a large majority. The incorporation is entitled, "*the Susquehannah canal company.*" It will undoubtedly pass the house. When this improvement is completed, there will be a new era, in the amount of business done upon the state canals, in the valley of the Susquehannah.

The following are the yeas and nays on final passage:

YEAS—Messrs. Burden, Fore, Fullerton, Geiger, Harper, of Lebanon, Hibshman, Hopkins, James, Kelly, Klingensmith, Krebs, Leet, McCulloch, Newhard, Penrose, Petrikin, Sangston, Slenker, Smith, Smyser, Strohm—21.

NAYS—Baker, Cunningham, Dickey, Harper, of Philadelphia, Hays, Matheys, Middlecoff, Read, Rogers, Toland, Kern—12.

The improvement and loan bill was agreed to this morning in the house on final passage, and sent to the senate. The whole amount to be borrowed is *one million one hundred and fifty-nine thousand six hundred dollars.*

The following are the items:

To finish old works	$344,700
Salaries of canal officers	100,000
Repairs and damages	230,000
Amount of 1st section	$674,700
To extend to Erie	200,000
Towing path from Dunnstown to Farrandsville	80,000
Amount of 2d section	$280,000

The third section authorises the governor to borrow money to carry into effect the foregoing; to pay a debt due the Montgomery county bank; and to carry into effect a law before passed, authorising the purchase of steam engines for the rail road, viz:

1st section	$674,700
2d section	280,000
To purchase steam engines	144,900
To pay Montgomery bank	60,000
Amount to be borrowed	$1,159,600

[This bill passed 47 to 45.]

—

The Nashville Banner of the 25th ult. concludes a long article on the subject of the next presidency, and of gen. *Jackson's* preferences, in the following terms:

"As to Tennessee, her sons, as independent in peace as they have proved themselves brave in war, have already recorded their verdict. They go for *Hugh L. White*, without a division. With them Mr. *Van Buren* never was a favorite. Unaided by the influence of gen. Jackson's name, he would never have been thought of. And, backed as he is now by the exertions of some of his advocates, the embryo candidate of the Baltimore convention will not get an electoral vote in the Tennessee college! Who will deny this? We pause for a reply."

The Republican, another Nashville paper, nominates judge *White* with the following declaration: "Whose claims will be submitted—not to a *packed jury*, dignified with the name of a *national convention*—but to the impartial decision of a free and enlightened people."

—

The returns of the *Virginia* elections are slowly coming in. It is impossible yet to judge of the result. It is most probable, however, that the state will be anti-Van Buren—in congress, decidedly so.

—

The "New York Commercial Advertiser" says—"It is useless to encumber our columns with the election news from *Connecticut* in its details. The result will not be known with arithmetical accuracy for several days. Meantime there is no hazard in saying, that the Jackson party have carried all they asked for, and how much more is of little consequence in the grand result."

This is an unexpected result.

—

The people of *Tennessee* have ratified their new constitution by a very large majority, though there appears to have been great indifference on the subject, as but little more than half the voters in the state gave their suffrages either one way or the other.

The votes for the new constitution were	42,644
Those for the old constitution were	17,091
Majority for the new	25,553

Whole number of votes given in, 59,735. The entire number of voters in the state is about one hundred thousand.

—

On the 1st of April the loans of the bank of the United States stood thus:

On notes and bonds	$37,173,747 75
Bills of exchange	22,926,468 96
	$60,100,216 71

At Hanover, and the parts adjacent, the snow fell, and laid, three inches deep, on Sunday last.

—

James Brown, esq. formerly senator of the U. S. from Louisiana, minister to France, &c. died suddenly of apoplexy, at Philadelphia, on Tuesday last, in the 73d year of his age. He had long suffered under a paralysis. He was the brother-in-law of Mr. *Clay*.

—

The number of admissions into the house of industry, at Boston, for the quarter ending March 31, is as follows:

Bostonians, (natives)	20
Other Americans	40
Foreigners and their children	111
Total	171

Whole number in the house of industry:—Men, 254—boys, 92—women, 176—girls, 53. Total 575.

—

A country paper, speaking of the evil tendency of war, says that among other things, it "raises up a crop of heroes to claim all the offices in the country for twenty years afterwards." A very sensible remark.

—

The "New York Courier & Enquirer" is now published on a sheet that measures 54 by 48 inches—which, the editor says, is "unquestionably the largest ever printed." But the making and printing of paper have so much changed in the last 30 or 40 years, that old and skilful artists do not know them!

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The *lion* presented to the president of the United States by the emperor of Morocco, was sold for $3,350, in cash, to the agent of the Boston menagerie company, for the benefit of certain charitable societies in the District, in pursuance of law.

—

A large fire took place in *Baltimore*, at 2 o'clock, in the morning of Thursday last. Five or six houses were destroyed, at the corner of Mercer and Calvert streets, after three hours contest with the flames, and a great loss was incurred. The Messrs. Koster, Messrs. Larabee, Mr. Sears and Mr. Elder, were the principal sufferers. Several of the fire companies had their hose cut; and the *Gazette* says, "we are assured that the fire was unquestionably the work of an incendiary."

COMMUNICATION OF THE MAYOR.

Mayor's office, Baltimore, April 9th, 1835.

Gentlemen of the first and second branches of the city council:

I deem it my duty to suggest to the council the propriety of providing more effectually for the protection of the apparatus belonging to the fire companies whilst engaged in the extinguishment of fires. Upon several recent occasions (and especially at the fire which occurred last night), the hose belonging to several of the fire companies have been wilfully cut and rendered useless by daring incendiaries, thereby effectually defeating the zealous and active exertions of our invaluable firemen, and jeopardizing the lives and property of our fellow citizens.

It appears to me that the penalty for wilfully and carelessly injuring any fire engine, or the apparatus, or implements belonging thereto, is insufficient.

I would therefore recommend that the penalty be increased, and that the mayor be authorised to offer a suitable reward for the apprehension and conviction of each and every person who may be convicted of such an offence. Very respectfully, yours, &c. JESSE HUNT, *mayor*.

—

There has been a strong report that Mr. *Amos Kendall* is to be *acting* postmaster general—so that if the senate should not concur, he will hold his auditorship. It is said that Mr. *Barry* is to go to Spain, as minister.

—

The *Detroit Journal* of the 27th March, says—

His excellency Stevens Thomson Mason, acting governor of Michigan, and commander in chief of the military forces, and adjutant general Schwarz of the Michigan militia, left this place on Wednesday morning, in the steamboat gen. Jackson, for head quarters at Monroe, and returned yesterday. A number of boxes of muskets, and a piece of ordinance, were taken down by the Jackson.

The *Western Reserve* (Ohio) *Chronicle*, of the 2d inst. observes, that Michigan, determined to resist the surveying of the disputed territory by Ohio, is marching her troops to the scene of action, to be in readiness to repel any attempt on the part of the latter state to extend her jurisdiction over the territory in question; and that the city guards of Detroit, had been ordered to proceed to Monroe.

The *Columbus* (Ohio) *Hemisphere* contradicts the report that the governor of that state had ordered out a military force to secure possession of the land claimed by the territory of Michigan. The Hemisphere says:

"The executive of Ohio does not anticipate that a military array will be necessary in executing the enactments of the general assembly, nor will any force be in preparation. We have no doubt, however, should the authorities of Michigan injudiciously attempt by force, to prevent the commissioners from a discharge of their duty, that in that case, force will be employed, but not till then."

The *Cleveland*, (Ohio) Herald of the 28th ult. says—

"U. Seely, esq. one of the commissioners appointed by the governor to run the boundary line between Ohio and Michigan, passed through this place yesterday, on his way to Perrysburg, where he will meet the other members of the board. They will proceed immediately to discharge the duties assigned them. Michigan, determined to resist these operations, is marching her troops, we understand, to the scene of action, to be in readiness to repel any attempt on the part of this state to extend her jurisdiction over the territory in question. Brigadier general Brown is making considerable of a *flourish* with his orders. The city guards of Detroit, it is reported, have been ordered to proceed to Monroe."

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OHIO AND MICHIGAN—DISPUTED BOUNDARY. The controversy between the authorities of the state of Ohio and of the territory of Michigan, having recently excited much interest, and some of the steps taken by the general government for the purpose of allaying it, having been noticed in the public prints, we have thought it important to apply to the proper sources for authentic information on the subject. We are now enabled to lay before the public a late opinion of the attorney general, which will put them in possession of the general views taken by the executive, in regard to this unhappy dispute. In addition to the circumstances stated in this document, it is necessary to remind our readers that a bill establishing the northern boundary of Ohio, as claimed by that state, and authorising it to extend its jurisdiction over the disputed territory, passed the senate in the session of 1833–4, but was not acted on in the house of representatives, either at that or at the late session, although the subject was fully discussed before committees of that body, and was once alluded to in the house. On that occasion, Mr. *J. Q. Adams* and Mr. *Binney* were the principal speakers. The former took very strong ground in favor of Michigan, on the merits of the whole case; and the latter, though he contended that congress had a control over the subject, and intimated a decided opinion in favor of Ohio, yet admitted that further legislation by congress was necessary, to establish the boundary as claimed by that state.

It is also proper to state, that immediately after the passing of the law of Ohio, extending her jurisdiction, the acting governor of Michigan announced to the secretaries of the state and war departments the determination of the territorial authorities to maintain their jurisdiction, and to repel any forcible encroachment thereon by military force. He was immediately instructed, by direction of the president, that military force can only be resorted to in aid of, and in subordination to the civil power, and that no necessity was perceived for the use of force on either side. Letters were also addressed by the secretary of state to the governor of Ohio, deprecating any appeal to force, and respectfully urging moderation and forbearance, until the whole subject could be disposed of by congress. In the mean time, the applications of the authorities of Michigan to the executive departments became more and more urgent; and the citizens of Detroit having also addressed a memorial to the president, soliciting his interposition, he thought it proper to refer the whole subject to the *attorney general*, for his opinion on the question, whether the president had any authority to interfere, and if so, in what manner?

The opinion of that officer having been obtained, and the president concurring in its results, he deemed it important to take the most prompt and efficient measures to prevent a collision between the authorities and people of the state and territory, as well as to preserve, so far as necessary, the jurisdiction of the United States. He, therefore, employed Messrs. *Rush*, of Pa. and *Howard*, of Maryland, to proceed with all practicable despatch to the disputed territory, with communications from the

secretary of state to the governor of Ohio, and the acting governor of Michigan, based, as we understand, on the views expressed in the opinion of the law officer of the government, and urging on all concerned the high duty of respect and submission to the laws. Messrs. Rush and Howard are also instructed to use their best endeavors to effect such an arrangement of the matter in dispute as will tranquilize the public mind, and preserve the peace of the community and the rights of all parties, until the final action of congress can be had on the whole subject. They left this city on the 24th ult. and, though the intelligence since received is of an ominous character, we will not permit ourselves to doubt the eventual success of their important mission. [*Globe.*

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The London *Morning Herald*, which originated the gossip about the queen, says—"We have authority to say that there is no truth in the statement which has lately been circulated as to the interesting situation of her majesty the queen."

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Mrs. Jordan, the once famed actress, the favorite mistress of the great sovereign of the world, and the mother, by him, of a family of illegitimate princes, dukes, &c. now rolling in affluence amidst the splendors of the British court, lies entombed in a miserable lonely grave at St. Cloud, near Paris—the tomb stone defaced—"its uncouth sculptures" obliterated, and her very name almost forgotten by her royal progeny.

On the decease of the princess *Charlotte*, the princes of the house of *Guelph* "reformed" themselves, and rushed into matrimony!

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THE WOOL GROWERS' MEETING, AT SHELBURNE FALLS, was not nearly so well attended as it would have been, but for the stormy weather and the badness of the roads. A considerable number of towns, however, were represented. There is a growing conviction, evidently, of the necessity of a change in the system of sale to correspond with the increasing value and importance of this commodity. This change can only be effected by the united action of all who are interested, and by the adoption of means for the general diffusion of information on the quality, amount, and situation of the clip for each year. A step of much importance will have been taken when the proposed wool registry for each town or county shall have been established. This, however, is, after all, but a subsidiary step to the object of establishing a general wool-market, to be holden in some central place of the wool-growing districts, where the grower and manufacturer will meet on equal terms, and the sales for the season be effected at once, without either party enjoying exclusive advantages over the other. It is not probable that the establishment of such a market would raise the general price of wool; but it may reasonably be expected that it would end the heart burnings which have existed, by making each party sure of obtaining the fair market price and the full benefits of competition. Another advantage would be, that the different qualities of wool would be more correctly sorted, the difference in value between different grades better understood, and inducements thus be held out for the progressive improvement of stock. From the present state of feeling on the subject, we are satisfied that no long time will elapse before the adoption of a system which, in all the wool growing countries of Europe, has proved so successful. [*Greenfield Mercury.*

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RISE OF THE COTTON TRADE. In the beginning of the reign of George III, (1760) this trade gave employment to 40,000 persons, and the value of the goods produced £600,000. It now employs not less than 1,500,000 persons, and the value of goods produced exceeds £31,000,000. The cotton yarn annually spun in England would, in a single thread, girdle the globe 203,775 times; it would encircle the earth's orbit eight times and a half. [*Liverpool paper.*

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THE ORVILLE OUTRAGE. We saw, a few days since, a letter in the Courier and Enquirer, giving the details of an outrage committed upon a female, in the village of Orville, Onondaga county, so horrible in its character and so revolting in its details, that we could not, *would not*, believe there were monsters in human shape, capable of such unparalleled cruelty.

Meeting with a friend, yesterday, from Syracuse, we inquired into the history of this outrage, and found the facts as set forth in the Courier and Enquirer, literally true, and substantially as follows:

The wife of —— Tyler, who was sent, about a year since, to the state prison, was left residing at Orville. It was rumored, during the fall, that an improper intimacy existed between this woman and a Mr. Young, and although no evidence of it existed, and none of the decencies of life were known to be violated, a village excitement was raised against her. The embers were finally fanned into a blaze, and having possessed themselves of a bucket of tar and a bag of feathers, eight men proceeded in a sleigh, at 12 o'clock at night, to the house of the offender, where they confidently expected to surprise her in bed with her paramour. Breaking into the house, they found the woman in bed with her children. After searching in vain for Young, they seized the woman, dragged her, with nothing but her night clothes, into the street, put a gag in her mouth, threw a blanket over her shoulders, put her into the sleigh and drove off, leaving *three little children alone without fire or a light, shrieking with terror!*

The monsters drove off about three quarters of a mile, took her into a field, tore off her night clothes, and with the instruments of torture prepared for the purpose, these eight unfeeling wretches perpetrated upon a defenceless and unfortunate female, an outrage of the most horrible character.

After literally enveloping the miserable woman in tar, they rolled her in the blanket, took her to an unoccupied and unfrequented barn, where they left her, entirely helpless, and still gagged, to perish with cold, unless found, as she was, by accident.

The cries of the children, in the morning, attracted the attention of the neighbors, and upon learning what had occurred, a search was made for the woman. Nothing, however, was discovered, till nearly dark, when a quantity of tar and feathers were found on the snow in a field where the outrage was committed. From this spot the villains were tracked to the barn, where George Grinnell found the poor creature, alive, but speechless and senseless! She was taken home and a physician sent for who discovered that her jaw had been dislocated! Several benevolent ladies kindly assisted in relieving the suffering woman from her dreadful condition, and after several weeks her health was restored. A strong feeling of indignation ran rapidly through the community. The monsters were soon identified and prosecutions commenced. The causes were to have been tried during the present month, but were settled a short time since by the payment of fourteen hundred dollars, from the defendants to the victim of their barbarities. [*Albany Jour.*

CIRCULAR

TO ALL COLLECTING AND RECEIVING OFFICERS.

Treasury department, April 6th, 1835.

It is understood that the instructions from this department to receive for the public dues only such state bank notes as the deposite banks are willing to credit at par, have been construed to authorise the receipt of such notes of any denomination. The undersigned considers it highly beneficial to the currency of the country and safety of the banking agents employed in keeping the public revenue, that the more general use of specie for the small and ordinary transactions of society should be encouraged; and, as the disuse of bank notes of a low denomination is believed to be the surest method to effect that object, and as the acts of congress do not expressly require the receipt of any such notes, if less in amount than five dollars—you are hereby directed, after the thirtieth day of September next, not to receive in payment of any public dues, bank notes of any denomination less than five dollars.

You are also apprised, that it is in contemplation by this department, after the 3d of March, 1836, [should congress in the mean time make no new provision on the subject], to exercise the discretionary powers which it is supposed will then belong to it, over the receipt of paper money of any denomination for the public revenue, and to extend the restriction on the receipt of bank notes for it, to all of a less denomination than ten dollars. For the greater security of the banking institutions employed by the treasury, and for the improvement of the currency by the fuller restoration of that specie circulation for common purposes, which seems to have been contemplated by the constitution, it is intended then to make arrangements, if practicable, to discontinue the use of any bank, as a fiscal agent, which shall thereafter continue to issue notes of a less denomination than five dollars, and

which shall, after some subsequent period, to be then designated, continue to issue notes of a less denomination than ten dollars.

The course proposed to be pursued hereafter on this subject by the treasury, is now indicated with a view to ensure suitable notice of the changes contemplated.

LEVI WOODBURY, *Sec. of Treasury.*

FOREIGN NEWS.

From London papers to the 11th March.

GREAT BRITAIN AND IRELAND.

The new parliament was opened on Thursday the 19th of February. Great crowds of people thronged the entrances of both houses. Large bodies of the police were in attendance to preserve the peace. The popular members of both the house of lords and commons, in their approach to their respective houses, were loudly cheered by the mob, while the tory members were received with yells and hissings. Hostility to the duke of Cumberland, was manifested in a manner so unequivocal, as to require the interposition of the police to prevent outrage.

The members having assembled in the house of commons, and being sworn in, the house proceeded to the choice of a speaker.

Lord Francis Egerton rose, upon the king's command, and after pronouncing an eulogium upon the peculiar fitness of sir Charles Manners Sutton, which occupied him half an hour, nominated him for the station.

Sir Charles Burrell, from the opposition bench, seconded the motion, and briefly stated the reasons which induced him to support his re-election.

Mr. Denison replied to lord Francis Egerton, passed a very handsome encomium on the qualifications of the right honorable James Abercrombie, and concluded by moving that he be appointed speaker.

Mr. Ord seconded the motion, and supported it in a speech of some length.

Sir Charles Manners Sutton rose and defended the course he had taken on the dissolution of the late whig ministry, and also replied to various other charges which had been thrown out against him.

The debate having closed, and the vote being taken, it appeared that the opposition had carried their candidate by the following vote:

For Mr. Abercrombie,	316
For sir C. M. Sutton,	306
Majority for Mr. Abercrombie,	10

On the announcement of the division, the cheers both within and without the house were deafening beyond precedent.

On Tuesday the 24th February, the king proceeded in state to the house of peers, to deliver his promised speech to the lords and commons. Shortly after two o'clock he took his seat on the throne, and the commons being summoned and in attendance, he delivered the following speech:

"*My lords and gentlemen*—I avail myself of the earliest opportunity of meeting you in parliament after having recurred to the sense of my people.

"You will, I am confident, fully participate in the regret which I feel at the destruction, by accidental fire, of that part of the ancient palace of Westminster, which has been long appropriated to the use of the two houses of parliament.

"Upon the occurrence of this calamity, I gave immediate direction that the best provision of which the circumstances of the case would admit should be made for the present meeting; and it will be my wish to adopt such plans for your permanent accommodation of the two houses of parliament as shall be deemed, on your joint consideration, to be the most fitting and convenient.

"I will give directions that there be laid before you the report made to me by the privy council in reference to the origin of the fire, and the evidence upon which that report was founded.

"The assurance which I received from my allies, and generally from all foreign princes and states of their earnest desire to cultivate the relations of amity, and to maintain with me the most friendly understanding, justify on my part the confident expectation of the continuance of the blessings of peace.

"The single exception to the general tranquillity of Europe is the civil contest which still prevails in some of the northern provinces of Spain.

"I will give directions that there be laid before you articles which I have concluded with my allies, the king of the French, the queen regent of Spain, and the queen of Portugal, which are supplementary to the treaty of April, 1834, and are intended to facilitate the complete attainment of the objects contemplated by that treaty.

"I have to repeat the expression of my regret that the relations between Holland and Belgium still remain unsettled.

"Gentlemen of the house of commons—I have directed the estimates for the ensuing year to be prepared, and to be laid before you without delay.

"They have been framed with the strictest attention to economy, and I have the satisfaction of acquainting you that the total amount of the demands for the public service will be less on the present than it has been on any former occasion within our recent experience.

"The satisfactory state of the trade and commerce of the country, and of the public revenue, fully justifies the expectation, that notwithstanding the reductions in taxation which were made in the last session, and which, when they shall have taken effect, will tend to diminish the existing surplus of the public revenue, there will remain a sufficient balance to meet the additional annual charge which will arise from providing the compensation granted by parliament on account of the abolition of slavery throughout the British dominions.

"I deeply lament that the agricultural interest continues in a state of great depression.

"I recommend to your consideration whether it may not be in your power, after providing for the exigencies of the public service, and consistently with the steadfast maintenance of the public credit, to devise a method for mitigating the pressure of those local charges which bear heavily on the owners and occupiers of land, and for distributing the burden of them more equally over other descriptions of property.

"My lords and gentlemen—the information received from the governors of my colonies, together with the acts passed in execution of the law for the abolition of slavery, will be communicated to you.

"It is with much satisfaction that I have observed the general concurrence of the colonial legislatures in giving effect to this important measure; and, notwithstanding the difficulties with which the subject is necessarily attended, I have seen no reason to abate my earnest hopes of a favorable issue.

"Under all circumstances, you may be assured of my anxious desire and unceasing efforts fully to realize the benevolent intentions of parliament.

"There are many important subjects—some of which have already undergone partial discussions in parliament—the adjustment of which, at as early a period as is consistent with the mature consideration of them, would be of great advantage to the public interests.

"Among the first in point of urgency is the state of the tithe question in Ireland, and the means of affecting an equitable and final adjustment of it.

"Measures will be proposed for your consideration which will have for their respective objects—to promote the commutation of tithes in England and Wales, to improve our civil jurisprudence and the administration of justice in ecclesiastical causes, to make provision for the more effectual maintenance of ecclesiastical discipline, and relieve those who dissent from the doctrines or discipline of the church from the necessity of celebrating the ceremony of marriage according to its rites.

"I have not yet received the report from the commissioners appointed to inquire into the state of municipal corporations, but I have reason to believe that it will be made, and that I shall be enabled to communicate it to you at an early period.

"I have appointed a commission for considering the state of the several dioceses in England and Wales, with reference to the amount of their revenues, and to the more equal distribution of episcopal duties; the state of the several cathedrals and collegiate churches with a view to the suggestion of such measures as may render them most conducive to the efficiency of the established church; and for devising the best mode of providing for the cure of souls, with reference to the residence of the clergy on their respective benefices.

"The especial object which I have in view in the appointment of this commission is to extend more widely the means of religious worship according to the doctrines of the established church and to confirm its hold upon the veneration and affections of my people.

"I feel it also incumbent upon me to call your earnest attention to the condition of the church of Scotland, and to the means by which it may be enabled to increase the opportunities of religious worship for the poorer classes of society in that part of the United Kingdom.

"It has been my duty on this occasion to direct your consideration to various important matters connected with our domestic policy.

"I rely with entire confidence on your willing co-operation in perfecting all such measures as may be calculated to remove just causes of complaint, and to promote the concord and happiness of my subjects.

"I rely also with equal confidence on the caution and circumspection with which you will apply yourselves to the alteration of laws which affect very extensive and complicated interests, and are interwoven with ancient usages to which the habits and feelings of my people have conformed.

"I feel assured that it will be our common object, in supplying that which may be defective or in renovating that which may be impaired, to strengthen the foundations of those institutions in church and state which are the inheritance and birthright of my people; and which amidst all the vicissitudes of public affairs, have proved, under the blessings of Almighty God, the truest guaranties of their liberties, their rights, and their religion."

The customary address in reply to the king was moved by earl Hardwicke, and seconded by viscount Gage.

Lord Melbourne rose in opposition to the address: he complained of its meagre character and of the absence of that clear, distinct and decided tone, which they had a right to expect. He denounced the dissolution of the late parliament, and charged the responsibility of that measure upon the duke of Wellington. In the course of his speech (referring to the de-

feat of ministers in the house, on the question of speaker), lord Melbourne said, that the ministers had had one dissolution and were threatened with another—

The duke of Wellington: Where?

Viscount Melbourne: Then you do not intend it.

The duke of Wellington: I don't know.

Lord Melbourne having continued his speech for some time, concluded by moving an amendment, similar to that moved by lord Morpeth in the house of commons.

The duke of Wellington replied, and explained the causes which had compelled the king to change his ministry and dissolve the parliament. He denied the existence of any intrigue to bring about those measures, or any responsibility, on his own part, further than the advice he had given when sent for by the king, after the dismission of the ministers had taken place.

Lord Brougham made a very able and eloquent speech in favor of the amendment. Lord Mulgrave spoke against the present administration, and the earl of Ripon in favor of the original address. The duke of Richmond supported the original address, at the same time avowing his want of confidence in ministers. The amendment was rejected without division, and the original address adopted.

It was presented to his majesty on the 26th February, from whom it received the following answer:

"I thank your lordships for your loyal and dutiful address. I receive with the greatest satisfaction your assurances of cordial co-operation with me in the adoption of all those measures that are calculated to promote the happiness and concord of my subjects."

In the house of commons, Feb. 24th, lord Sandon rose to move the customary address to the king. After some preliminary remarks on his own attachment to the principles of reform, he admitted he had no confidence in lord Melbourne's administration, and, therefore, made no inquiry about the manner in which it had been dismissed. He said the principles of lord Grey's government were to be continued by the present ministers. He believed they possessed the confidence of the great states of Europe. He contended that the present ministers would go as far as any other government ought to go, in the way of reform to improve the institutions of the country; and concluded by moving an address, which as usual was a mere recapitulation of the terms of the speech itself, with an expression of thanks to the king for the consideration of the topics it embraced.

Lord Morpeth, after a speech of considerable length moved the following amendment:

That after the words "To promote the concord and happiness of my subjects," in the last paragraph but two, these words be inserted: "To assure his majesty, that his majesty's faithful commons acknowledge, with grateful recollection, that the acts for amending the representation of the people were submitted to parliament with his majesty's sanction, and carried into a law by his majesty's assent; that confidently expecting to derive further advantages from those wise and necessary measures, we trust that his majesty's councils will be directed in a spirit of well considered and effective reform; and that the liberal and comprehensive policy which restored to the people the right of choosing their representatives, and which provided for the emancipation of all persons held in slavery in his majesty's colonies and possessions abroad, will, with the same enlarged views, place, without delay, our municipal corporations under vigilant popular control, remove all those unfounded grievances of Protestant dissenters, and correct those abuses in the church which impair its efficiency in England, disturb the peace of society in Ireland, and lower the character of the establishment in both countries; to represent to his majesty that his majesty's faithful commons beg leave submissively to add, that they cannot but lament that the progress of these, and other reforms, has been interrupted and endangered by the unnecessary dissolution of a parliament earnestly intent upon the vigorous prosecution of measures to which the wishes of the people were most anxiously and justly directed." The reading of this amendment, which had been frequently interrupted by the applause of the house, was followed by loud and general cheering.

The debate was continued with great animation, many members participating in it, among whom was sir Robert Peel, whose speech is said to have surpassed any former effort of his in parliament. In answer to questions to that effect, sir Robert Peel stated, that it was the intention of ministers to immediately bring in the bill for the relief of dissenters; that with reference to the Irish tithe adjustment measure, it would be laid before the house with as little delay as possible; that the measure, with reference to education in Ireland, he would not pledge himself to bring forward so soon, but in a few weeks there could be no doubt of its introduction; and he further begged leave to assure the noble lord, that there should be no delay in the introduction of other measures of practical reform by his majesty's ministers. The debate was then adjourned.

On the following day the debate was resumed, lord Stormont, lord Stanley, Mr. Goulburn and Mr. Baring, in favor of the original address, and Mr. Ward, captain Berkeley, Dr. Lushington, Mr. Shiel and lord John Russell, in support of the amendment. The debate was again postponed until the succeeding day, when the debate was concluded, and the question being taken, the amendment was adopted by the following vote, viz: for the amendment 309, for the original address 302, majority for the amendment 7.

After the majority had been returned to the house, lord John Russell asked sir Robert Peel, whether, after what had taken place, he would again divide the house upon the bringing up the report? Sir Robert Peel could not, without consulting his colleagues upon the subject, pledge himself one way or the other.

Lord J. Russell then rose and said, he hoped the majority would profit by the answer given, and attend in their places to-morrow to repeat the triumph they had just gained.

Sir Robert Peel then rose and observed, he wished the house to remember he had pledged himself to no course whatever; but to the minority he would say, profit also by the good advice they had heard given, and attend in their places and see whether they could not turn the minority of to-night into a majority then.

On the following day, sir Robert Peel stated, that from inquiries he had made he was satisfied the decision of the previous night conveyed the sense of the majority of the house, and he had, therefore, made up his mind not to endeavor to subvert that decision, though such a course was perfectly open to him.

The report as amended was then adopted, and the following day presented to the king in the usual form.

On Saturday the 28th, the speaker informed the house, that in compliance with their instructions he had attended on his majesty with their address in answer to the speech from the throne, and that his majesty had been graciously pleased to return to it the following answer:

"I thank you sincerely for the assurance which you have given me, in this loyal and dutiful address, of your disposition to co-operate with me in the improvement, with a view to the maintenance of our institutions in church and state.

"I learn with regret that you do not concur with me as to the policy of the appeal which I have recently made to the sense of my people.

"I never have exercised, and never will exercise, any of the prerogatives which I hold, excepting for the single purpose of promoting the great end for which they are intrusted to me—the public good; and I confidently trust that no measure conducive to the general interests will be endangered or interrupted in its progress, by the opportunity which I have afforded to my faithful and loyal subjects of expressing their opinions through the choice of their representatives in parliament."

Sir R. Peel then moved that the thanks of the house be presented to his majesty for this most gracious answer.

Notices of the intention of the ministers to introduce at the times noted, the following reform measures have been given.

On the 17th March leave to bring in a bill for the relief of persons dissenting from the church of England, as far as regarded the celebration of marriage.

On the 24th March, for leave to bring in a bill for the commutation of tithes.

On the 19th May, for the relief of the agricultural distress.

Notices were also given by numerous members of their intention to ask leave to bring in bills for the following purposes: for the repeal of the poor law amendment act: to amend the laws to prevent bribery and corruption at elections: for the regulation of the payment of the expenses of elections, in cases of bribery and corruption: to promote the better observance of the Sabbath: to protect the exercise of the elective franchise: for the abolition of military flogging: for the relief of the poor in Ireland: for the relief of the aged poor in Ireland: to equalise the representation in Ireland, by giving more members to the larger counties: for the reduction of the Protestant church of Ireland to a scale corresponding with the wants of the population: for the equalization of the duty on East and West India sugar, and for a general reduction of the duty upon West India produce: for allowing counsel to prisoners in cases of felony, and to abolish the punishment of death in certain cases: to inquire into the management of the post office: to regulate certain proceedings in the courts of Scotland: for the abolition of imprisonment for debt: for the amendment of the escheat law: to prohibit the bishops from voting in matters of church reform: to fix the term of parliaments at three years, and that except on the death of the king, a dissolution should not sooner take place: for the redress of the practical grievances of the Protestant dissenters: to change the mode of election for members of parliament to *ballot*: for the repeal of the window tax, and for a charter to the university of London, containing no other restriction except one against conferring degrees in divinity.

Mr. Cobbett gave notice that he should ask leave to submit a resolution declaring it just and expedient that there should be an equitable adjustment with regard to the interest on the national debt, and that none but the holders of land and the owners of real property should be taxed for the purpose of paying the interest thereon.

Mr. Roscoe presented the petition of the legislative bodies of Lower Canada, which, with the consent of sir Robert Peel, was read.

The late speaker, sir Charles Manners Sutton, has been called to the peerage with the title of viscount Canterbury.

In the house of commons on the 3d March, Mr. G. Robinson (as we were told) availed himself of the presence of the right hon. baronet (sir R. Peel) on the benches opposite, to ask him whether any progress had been made in the negotiations with the United States, respecting the North American boundary?

Sir R. Peel said that it would be a difficult matter to give the hon. member an answer on the boundary question in terms as

concise as those in which he had couched his query. The boundary question was one of the most important and complicated questions with which the government had to deal, as it related to the settling of the limits of the state of Maine on the part of the United States, and of the limits of the province of New Brunswick on the part of his Britannic majesty. The dispute arose out of a treaty made between the two countries so long ago as the year 1783. By that treaty a line was to be drawn, determining the boundaries of Maine and New Brunswick. Certain high lands were to be discovered between the waters of the St. Lawrence and the Atlantic, and those high lands were to form the boundaries of the two provinces. But those high lands have never been discovered; indeed it was physically impossible to find them. In consequence of this, a convention was subsequently made between this country and the United States, by which the settlement of these boundaries was left to the arbitration of the king of the Netherlands. Three points were submitted to his arbitration.

On two of them the king of the Netherlands had given a decided opinion; but on the third he said that it was impossible for him to give any opinion at all, as the high lands did not exist in the position in which they were supposed to exist in 1783. (A laugh). Under these circumstances, the king of the Netherlands suggested that an amicable compromise should take place between our government and that of the United States. The British government was desirous to stand by the arbitration of the king of the Netherlands with respect to the terms of that compromise; but the United States refused to do so. The U. States then suggested that there should be a new survey. The British government consented to make that new survey, and abide by it, provided certain preliminary articles were agreed to. One of them was, whether the bay of Fundy should be considered as a part of the Atlantic ocean. A despatch had been sent out upon this point in the course of last autumn, but no answer had yet been received to it, the president of the U. States having declined to produce any papers on the point, from fear, he supposed, of compromising himself on the subject. The negotiation, however, was still pending. This was the only point now in controversy between the two powers, and he was certain that the announcement of that fact would give delight to all the lovers of peace, who wished well to the commercial interests of both countries. A paper, he repeated, had been transmitted to the American government in October last, and it was impossible to ascertain yet whether the terms of that paper had been accepted.

A violent storm off Liverpool, has occasioned great loss of shipping and life. The conduct of the wreckers and country people is represented as disgraceful to any civilized country.

Mr. Hume had thrown out a threat of embarrassing the ministry, by moving that the vote of supply on the bringing in of the navy estimates, be limited to the period of three months, which had created much disgust, even with some of his greatest admirers.

FRANCE.

There has been another breaking up of the French ministry, the cause of which is, however, not stated. It is asserted that M. Dupin will be prime minister. Soult and Sebastiani had both been sent for, and had arrived in Paris. Marshal Soult, marshal Gerard, M. Mole and M. Theirs, are also spoken of as likely to be at the head of the new ministry.

When one of the packets, arrived at New York, left France, it was generally believed that the bill for the payment of the American indemnities would pass the French chambers: it is supposed, however, that the dissolution of the ministry may retard it. At the sitting of the deputies on the 14th February, a royal ordonnance was read, appointing M. Desmousseaux assistant commissioner for the discussion of the bill relative to the American treaty. It was supposed that the committee appointed by the respective bureaus to examine and report on the subject, would not be able to make their report before the middle or latter part of March. As far as the examination has gone, and the opinion of the commission is known, it is stated that eight out of the nine commissioners are in favor of paying the twenty-five millions. The duke of Fitzjames and M. Berryer are said to be in possession of some important papers, which as yet have not been laid before the committee.

A doubt is expressed in the Paris *Moniteur*, the official paper, whether the chambers will allow the three millions of interest, as well as the principal. The same paper adds,

"The hesitation on the part of the ministry, is represented as arising from their anxiety to steer such a middle course as at once to avoid all course of quarrel with the United States, and at the same time secure the adoption of the bill by the chambers. But the treaty of 1831 recognizes the interest equally with the principal."

Several applications for letters of marque and reprisal had been sent from the department of Brest to the ministry. To one of these the *Armoracain*, a Brest journal, says the minister of marine "has replied, that in the uncertainty which prevails respecting the issue of the difference with America, he could not at present positively accede to the application; but that he would take due notice of it, promising to pay attention to it, if occasion should arise."

The following extract of a letter from a gentleman in Paris to his house in New York, dated 23d of February, will be read with interest by many of our citizens.

"Don't be frightened at a change of ministry here. Whoever Louis Philip makes minister must pledge himself to make the twenty five million law, a cabinet question. Mr. Livingston told me, the day before yesterday, that he felt very confident of our success. My friend, Mr. Mechin, who wrote the book lately, on the American claims, and who was the only man in Paris who predicted the first rejection, (which he did to me,) now predicts fifty to sixty majority in our favor, as he told me."

SPAIN.

Nothing important from this country. The ministry are said to be firm. The Carlists continued to invest and fire upon Elisondo.

PORTUGAL.

A partial change in the ministry had taken place. Prince Augustus, the queen's consort, had arrived and was rendering himself popular, particularly with the army, whose friendship he seemed to court. His confession of faith, written by himself, had given great satisfaction. The reported intention of Don Miguel to make a descent on Portugal was treated with indifference.

GERMANY.

The emperor of Austria died suddenly on the morning of the 3d March, in his 67th year, and had been emperor, first of Germany and then of Austria since 1804. He is succeeded by his son Ferdinand, aged 42 years, who will pursue the policy of his father.

The London Courier of the 10th March, has the following rumor, which is fully sustained by the latest accounts from Paris.

"It is reported that accounts have been received from Vienna, by express, stating that prince Metternich has received from his emperor the same unlimited confidence shown to him by the late emperor of Austria."

The Paris correspondent of the London Times points out a cause of difficulty amongst the powers of the holy alliance.

The presidency of the Germanic diet, is now likely to set Prussia and Austria at variance. The mass of the Germans have long looked at Austria, whose possessions in Germany form but a small part of that empire, with great jealousy and dislike. By the true Germans she is invariably spoken of as not a German power, and they desire to see the presidency of the diet conferred on Bavaria or Prussia. The claims which FRANCIS derived from his age, and from having been emperor of Germany, will not devolve on his son, whose title to the presidency may probably be disputed with success by either of the two other powers just mentioned. The emperor of Austria cannot make up, we believe, by commanding talents, for want of the advantages possessed by the late emperor. Prince METTERNICH will, of course, desire to retain the presidency for Austria. We have both German and Dutch papers this morning, but they do not allude to this subject, and do not otherwise bring any intelligence.

SWITZERLAND.

Dissentions of the most serious character exist among the cantons. The frontier lines is threatened by foreign troops. It is said every thing but open war exists, and that the directors cannot controul the martial spirit of the people.

TURKEY AND EGYPT.

The quarrel between these powers become more rancorous, and new causes of dispute arise daily.

SWEDEN

The king, Bernadotte, had been ill of the gout but had recovered. He is said to have conciliated the good wishes of the Swedes.

STILL LATER.

From London papers to the 14th, and Portsmouth to the 16th March.

GREAT BRITAIN AND IRELAND.

A meeting had been held at lord Litchfield's which was numerously attended by the opposition members, to take into consideration the expediency of bringing in Mr. Hume's motion for limiting supplies. The meeting determined against the propriety of the measure, for the present; and resolved to wait the decision of the house of commons on the Irish church bill, before proceeding in the other measure. Mr. Hume, it is stated, yielded to the universal feeling of the meeting.

It was understood that lord John Russell, the leader of the opposition in the house of commons, would, when the Irish church bill was brought in, offer another motion, instead of Mr. Hume's, with a view of testing the strength of ministers, and, should he succeed in carrying his motion, and ministers refuse to resign, that an address will then be moved to the king declaring a want of confidence in his advisers.

The navy estimates were brought forward on the 13th March, by the ministers, who proposed a reduction of £232,000 from the last year's estimates. Mr. Hume moved that the number of men in the estimates, 26,500, be reduced to 20,500, and objected to building new ships, while "noble ships of 130 guns were rotting in Portsmouth harbor." The army estimates are £64,000 less than those of last year.

FRANCE.

The ministry was still not completed up to the 11th March. It seems, however, conceded, that M. de Broglie will be the premier. The names of what is supposed to be the new ministerial arrangements are given in the *Messager*, but, as they are not official, it is not worth while to repeat them. The king, it is said, has stated that the new ministry, when formed, will represent the majority of the chambers. A postscript to the letter of the correspondent of the London Morning Herald, dated at Paris at 4 o'clock on the 12th March, states, that the ministerial arrangements had at last been completed, that M. de

Broglie is to be president of the council and minister of foreign affairs; that M. de Rigny has consented to hold the war department until the arrival of marshal Maison from St. Petersburgh, and that all the other ministers remain in their respective places. The king is said to have publicly expressed his difficulty in forming a ministry.

SPAIN.

Accounts from St. Sebastian state that a severe action had taken place before Vittoria, which continued for several hours; that the insurgents, in the heat of the action, made their way into the town, but that a galling fire from the houses compelled them to retreat. It is said that Mina will be able to open the campaign, the present spring, with an army of 56,000 men.

SWITZERLAND.

The Austrian, Bavarian, Wurtemburg and Baden troops formed a cordon on the Swiss frontier.

AUSTRIA.

A supplement extraordinary of the Vienna Gazette of the 2d March, contains copies of autograph letters from Ferdinand, the new emperor, addressed to the colloredo, grand marshal, &c. to prince Metternich, to count Kollowret, minister of state, and to general count Hardegg, president of the council of war. In his letter to the grand marshal, he says:

"With a sentiment of the profoundest sorrow for the loss of the illustrious departed, whose wisdom established on a firm foundation the happiness of his people, whose justice was a mighty safeguard for every right, and a powerful shield against capricious despotism, whose virtues will serve as a model during all times, I assume the elevated functions of that dignity which calls on me to pursue the same path which he so wisely indicated and so perseveringly pursued.

"I ascend my hereditary throne with a firm resolution, true to the sentiments of my father, like him, with pious confidence in God, to make the happiness and prosperity of my people in the path of rectitude the object of all my efforts.

"I call upon all those who held employments in my court, or in the administration of government, whom I hereby confirm without exception, in their respective offices and dignities, to aid me in my efforts, according to the obligations of their duty, and in conformity to their oath (with the solemn renewal of which I dispense) to devote themselves zealously and conscientiously to their duties in pursuance of the established regulations."

To prince Metternich he thus speaks:

"Profoundly affected with the unfortunate event which has filled us all with sorrow, and overwhelmed myself in particular with the severest agony, I must for the present confine myself to acknowledging the services which you have rendered to my late exalted parent, to my family, and to the state; to the assuring you of my grace and favor; to calling upon you for a continuation of your services; and to commission you to announce to all those employed under you in the public service, either at home or abroad, without exception, that they are confirmed in their various places, offices and dignities; and, further, that, in the full conviction of the conscientiousness and fidelity with which they will continue to discharge their duties according to the standing orders, I dispense with the solemn renewal of their oaths."

☞*Later still.* The packet, *Francais* I, has arrived at New York—she left Havre on the 13th ult. The duke de Brolie is made president of the bureau of foreign affairs—which is regarded as highly favorable to our claims.

RECORD OF THE WEATHER.

The following record of the state of the thermometer, at various places, on the recent cold days, may prove satisfactory to such as are curious in these matters.

Albany, (N. Y.)	32	deg. below	zero,	Jan.	4.
Alfred, (Maine)	32	"	"	"	5.
Augusta, (Georgia)	1½	"	"	Feb.	8.
Alexandria, (D. C.)	10	"	"	Jan.	5.
Anson, (Maine)	42	"	"	"	5.
Baltimore, (Md.)	10	"	"	"	4.
Bangor, (Maine)	39a40	"	"	"	4.
Branford, (Conn.)	16	"	"	"	4.
Boston, (Mass.)	15	"	"	"	4.
Bowling Green, (Mo.)	20	"	"	"	27.
Bellville, (N. J.)	20	"	"	"	4.
Brookville, (Indiana)	18	"	"	Feb.	8.
Bradford, (Pa.)	6	"	"	Jan.	5.
Catskill, (N. Y.)	28	"	"	"	4.
Charlottesville, (Ky.)	1	"	above	"	5.
Charlestown, (Va.)	14	"	below	Feb.	4.
Cincinnati, (Ohio)	5a10	"	"	"	7.
Columbia, (Pa.)	18	"	"	Jan.	5.
Concord, (Mass.)	27	"	"	"	5.
Dover, (N. H.)	28	"	"	"	4.
Dorchester, (Mass.)	22	"	"	"	5.
Dunstable,	38	"	"	"	4.
Evansville, (Indiana)	18	"	"	Feb.	7.
Exeter, (Mass.)	32	"	"	Jan.	5.
Elizabethtown, (N. J.)	18	"	"	"	4.
Essex, (Mass.)	20	"	"	"	5.
Fitchburg, (Mass.)	22	"	"	"	5.
Franconia, (N. H.)	40	"	"	"	4.
Goshen, (N. H.)	32	"	"	"	4.
Greenwich, (Mass.)	34	"	"	"	5.
Greenfield, (Conn.)	36	deg. below	zero,	Jan.	5.
Hagerstown, (Md.)	12	"	"	"	5.
Hartford, (Conn.)	25	"	"	"	5.
Haverhill, (Mass.)	24a33	"	"	"	5.
Hyde Park, (N. Y.)	32	"	"	"	5.
Huntsville, (Alabama)	9	"	"	Feb.	8.
Kennebeck, (Maine)	35	"	"	Jan.	5.
Kinderhook, (N. Y.)	29	"	"	"	5.
Lexington, (Ky.)	20a21	"	"	Feb.	8.
Lancaster, (Pa.)	22	"	"	Jan.	4.
Lancaster, (Mass.)	35	"	"	"	4.
Lowell, (Mass.)	24a29	"	"	"	5.
Madison, (Ky.)	14	"	"	Feb.	8.
Mayslick, (Ky.)	20	"	"	"	8.
Maysville, (Ky.)	13	"	"	"	8.
Milburn, (Maine)	39	"	"	Jan.	4.
Montreal, (Canada)	35	"	"	"	5.
Millersburg, (Ky.)	15¾	"	"	Feb.	8.
Milledgeville, (Georgia)	9	"	"	"	8.
Norwich, (Conn.)	24	"	"	Jan.	4.
Norfolk, (Va.)	30	"	"	"	5.
New Ark, (N. J.)	11a13	"	"	"	5.
New York	4	"	"	"	5.
Newbury, (Vt.)	33	"	"	"	5.
New Bedford, (Mass.)	6	"	"	"	5.
New Haven, (Conn.)	23	"	"	"	4.
North Lebanon, (Pa.)	20	"	"	"	5.
Northampton, (Mass.)	32	"	"	"	4.
Norridgewick, (Maine)	38	"	"	"	5.
Do. do.	20	"	"	Mar.	2.
New Lebanon, (N. Y.)	39a40	"	"	Jan.	4.
Philadelphia	4	"	"	"	5.
Pine Grove, (Pa.)	32	"	"	"	5.
Pittsfield, (Mass.)	32	"	"	"	5.
Portland, (Maine)	19a21	"	"	"	4.
Portsmouth, (N. H.)	20	"	"	"	4.
Pottsville, (Pa.)	24	"	"	"	4.
Poughkeepsie, (N. Y.)	33	"	"	"	4.
Providence, (R. I.)	15a26	"	"	"	5.
Paris, (Ky.)	16	"	"	Feb.	8.
Pittsburgh, (Pa.)	4	"	"	Jan.	5.
Do. do.	13	"	"	Feb.	9.
Quebec, (Canada)	15	"	"	"	6.
Saratoga Springs, (N. Y.)	33a35	"	"	Jan.	4.
Saco, (Maine)	28	"	"	"	4.
Salem, (Mass.)	17	"	"	"	4.
Schenectady, (N. Y.)	33	"	"	"	4.
Smithfield, (R. I.)	26	"	"	"	5.
St. Louis, (Missouri)	18	"	"	Feb.	7.
Tallahassee, (Florida)	4	" above	"	"	8.
Troy, (N. Y.)	28a30	" below	"	"	4.
Urbanna, (Ohio)	4	" above	"	"	4.
Utica, (N. Y.)	34	" below	"	"	4.
Washington, (Ky.)	20	" "	"	"	8.
Washington city, (D. C.)	16	" "	"	Jan.	4.
Woonsockett Falls, (R. I.)	24	" "	"	"	5.
Worcester, (Mass.)	19	" "	"	"	4.
Zanesville, (Ohio)	15	" "	"	Feb.	9.

INTERESTING FACTS, &c.

A man and a boy who were exposed to the weather on the night of the 8th January, near Four Mile Point, in the vicinity of Savannah, Georgia, were frozen to death.

The mercury, in several thermometers in Bangor, Me. and the towns adjacent, froze on the morning of the 4th January. Penobscot river and bay as low down as eight miles below Belfast, and across to Castine and the Fox islands, were frozen over—an event not within the recollection of the oldest inhabitant.

A large cherry tree, a foot in diameter, in the yard of Mrs. Cleary's house, Lyman place, Boston, was split and laid open to the heart by the frost, during the cold weather in the beginning of January.

The Salem Gazette mentions, that during the cold weather in January, a powerful north east gale prevailed off that coast, which produced a violent agitation of the waters, and the consequent death of myriads of small fish, which were crushed by the stones and rocks, lying on the bed of the sea. Tons of fish thus killed, were driven on shore at the beach in Sandy bay.

In a south east direction, nearly a mile from Boston, and directly in a line with the fort, there were a number of tents erected on the ice, *a la militaire*, where "whiskey and long nines" were dispensed in great profusion.

At Northampton, Mass. many wells were frozen at the depth of fourteen feet from the surface, and a colt was frozen in a stable.

The mercury became congealed at 39 degrees below zero, at New Lebanon, N. Y. on the morning of the 5th January. It is related that professor Cleveland, of Bowdoin college, Mass. about a quarter of a century ago, in making experiments in several glasses suspended from the boughs of trees in exposed situations, ascertained that the mercury, after sinking to 38 degrees below zero, became stationary. It is mentioned, that in Parry's second voyage to the north pole, when the alcoholic thermometers stood at 58 degrees below zero, his officers amused themselves by casting quicksilver into bullet moulds and freezing it, and enjoyed great sport in firing the balls at the polar bears.

The Nantasket beach presented three stupendous ice walls along its entire length; the one next the sea was 8 feet high and 20 feet thick, of solid ice; 20 feet back of the first wall, was another 3 feet high; and 20 feet farther up the beach was a third, about two feet high. These walls were four miles in length.

Mr. Joshua Pierce, at Linnæan hill, four miles north-west of Washington, communicates the following interesting fact. At an hour before sunrise, on the 8th January, he placed his thermometer in an exposed situation on the summit of the hill, where his house stands. At thirty minutes before sunrise, it had fallen to four degrees below zero; he then removed it to the valley, and at twenty minutes before sunrise it fell to eighteen degrees below zero; he then returned it to the summit of the hill, and found it as before, four degrees below zero, exhibiting the astonishing difference of fourteen degrees between two locations not more than four hundred yards distant. The height of the hill is from ninety to one hundred feet.

Foot passengers passed on the ice from Staten to Long Island. The N. Y. Commercial states that on the 9th January, Mr. R. Hazard, in company with three other gentlemen, started in a sleigh, crossed the kills on the ice near Elizabethtown, N. J. and drove up to Jersey city, having made a track all the way.

The Charlestown (Va.) Free Press of the 8th of January says, that on the 5th of that month, every thing in a fluid or damp state about the office became congealed; that water poured on the form was instantly converted into a cake of ice, and the paper which was worked off on one side, had the appearance of a huge block of timber.

A couple of gentlemen belonging to the city of New York, went from Jersey city on skates, down to Bergen point, through the kills across the bay to Newark, which was accomplished in four hours.

Joshua H. Valliant and George W. Hynson, during the month of January, skated from Baltimore to Annapolis, a distance of thirty miles, in three and a half hours. They returned to Baltimore the same day.

In the year 1784, Joseph Clark, the architect who built the dome of the state house at Annapolis, skated to that city from Baltimore.

The Chesapeake bay was frozen over at the capes of Virginia —in February last.

During the cold weather in January, the children at Bordentown and Camden, N. J. sold hot bricks to the passengers on the rail road at six pence each.

The thermometer at Charleston, S. C. in an exposed situation, on the 8th February, at day break, was at zero, an intensity of cold without example in the memory of man, or as far as the thermometrical records of that city reach. Fluids of almost every kind became congealed into solid substances. The oil, in many of the time pieces, froze. The impression is that it was colder on that morning by eight or ten degrees than ever before known in that place.

A Quebec paper of the 6th February, congratulates its readers on account of the *moderation* of the weather—the thermometer on that day being *only* fifteen degrees below zero.

The ice in the Mississippi, at Bowling Green, on the 8th February, was strong enough for foot passengers to cross on, and the following day horses and teams crossed in safety.

It was somewhat remarkable that while, in some of the towns on the Atlantic, in the beginning of January, the thermometer was from twenty to thirty nine degrees below zero, at Huntsville, Alabama, up to the 28th of that month, there had been scarcely sufficient frost to produce a crust on the earth; but on the contrary there had been frequent showers of rain, with occasional thunder and lightning, evidences more of spring than of winter.

The good people of Evansville, Indiana, seem to have been similarly blessed up to the beginning of February, as the editor of the "Journal," with great complacency, then contrasted the mildness of their "genial clime" with the stern severity of that of his eastern brethren; but on the 7th of that month, when taunted with an invitation to "*sit with doors and windows open* a few hours that morning," fairly gave in, and confessed that when the thermometer stood at 18 degrees below zero, a close house and a blazing fire were more comfortable.

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COLD WINTERS.

From Metcalf's new Theory of Magnetism, &c.

In 806, the Rhone was frozen over; the cold was from 18 to 20 centigrade deg. below zero.

In 1133, the Po was frozen from Cremona to the sea.

In 1234, loaded carts and wagons crossed the Adriatic in front of Venice.

In 1305, all the rivers in France were frozen over.

In 1324, it was possible to travel from Denmark, Lubec and Dantzic on the ice.

In 1334, all the rivers in Provence and Italy were frozen: at Paris, the frost lasted two months and twenty days.

A. D. 1433, frost commenced at Paris, the last of December, and continued during 3 months, less nine days—recommenced towards the end of March, and continued until the 17th of April. The same year it snowed in Holland forty consecutive days.

A. D. 1460, the Danube and the Rhine frozen.

In 1468, wine was reduced to ice in France, and cut with an axe. In 1544, a similar severity of cold occurred, and a similar operation became necessary in France.

A. D. 1493, the port of Genoa frozen.

A. D. 1507, the port of Marseilles frozen in all its extent. Three feet of snow fell at the same city on the day of Epiphany.

A. D. 1565, the Rhone was frozen over to Arles.

A. D. 1568, from the 11th to the 21st of December, the Rhone was passed on the ice.

The winter of 1570-1, from the end of November to the end of February, was so severe, that all the rivers, even those of Languedoc and Provence, were so completely frozen, that they were passed with loaded carriages.

A. D. 1594, the sea at Marseilles and Venice frozen.

A. D. 1603, loaded carriages passed the Rhone on the ice.

The winter of 1621-2, the Venetian fleet arrested by the ice in the lagoons of Venice; in 1638, a similar event with the French gallies at Marseilles.

In 1641, gov. Winthrop in his journal, mentions that the frost was so great that the Boston bay was frozen over from the 18th Nov. to the 21st Dec. so that horses and carts crossed over parts where ships had sailed. Loads of wood drawn by six oxen passed from Muddy river to Boston. It was frozen as far out to sea as one could discern. The great bay at Virginia was also frozen over, and all their great rivers.

A. D. 1645, the Swedish army passed from Holstein into Zealand on the ice.

In the winter of 1655-6, the Seine was closed from the 8th to the 18th December. It was again frozen, without interruption, from the 29th of December to the 28th of January. A new frost recurred a few days after, and continued until in March. (Bouillaud). The ensuing winter, 1657-8, an uninterrupted frost from the 24th of December, to the 8th of February. Between the 24th of December and the 20th of January, the cold was moderate, but afterwards acquired an extreme intensity. The Seine was entirely closed. A slight thaw took place on the 8th of February, but the frost again recurred and continued to the 18th. It was in 1658, that Charles X. king of Sweden, traversed the Little Belt with his army, artillery, caissons, baggage, &c.

A. D. 1662-3. Intense frost at Paris, from the 5th of December to the 8th of March.

A. D. 1676-7, continued and very intense frost from the 2d of December to the 13th of January; the Seine was closed thirty-five consecutive days* Finally, the Seine was entirely frozen over in 1742, 1744, 1766, 1767, 1776, 1783 and 1829.

A. D. 1684, the Thames, at London, frozen eleven inches thick, and was traversed by loaded wagons.

A. D. 1709, (perhaps the most intense season which has ever occurred within the range of history), the Adriatic sea, and the Mediterranean from Genoa by Marseilles to Cette, frozen. All the rivers and narrow seas of Europe frozen.

A. D. 1716, booths erected on the Thames at London.

A. D. 1726, sledges passed from Copenhagen to Sweden.

A. D. 1740, the Thames, at London, again frozen.

The obstruction of the Greenland sea by ice during the fifteenth, sixteenth, and part of the seventeenth century, by which the Greenland colonies from Norway and Iceland were cut off from all communication with Europe, presents the longest period on record of ice accumulated in the Greenland sea. It is quite probable, that during the age of the Cæsars, a similar accumulation existed between Spitzbergen and Nova Zembla, by which the climate of Italy, and perhaps of Europe generally, was rendered colder than usual, as before suggested.

In 1779, (December) a correspondent of the National Intelligencer, resident in Virginia, says, colonel Baylor's regiment of horse crossed the Potomac river at Georgetown, upon the ice, on their march to the Carolinas.

In 1780, January 14, the cold was so intense, that the mercury sunk into the bulbs of the thermometers. That winter the gentleman thinks was 40 degrees colder than this. The ice upon James river was 38 inches thick; and the Chesapeake bay was so completely bridged with ice that many persons crossed over upon it from Annapolis to Kent island.

[A person who had the tradition from his parents assures us that loaded wagons passed over the bay at the points designated].

An old revolutionary officer who resides near the correspondent of the Intelligencer, states, that on the 7th March, 1780, he rode from Falmouth to Fredericksburg, Va. upon the ice of the Rappahannock river, in company with his regiment, which was returning to Virginia, from the north. The cold weather continued without intermission, from the 10th of December, 1779, to the 9th of March, 1780.

In 1797, January 8, gov. Sargent, of Ohio, says that the thermometer stood eighteen degrees below zero.

In 1819, January 20, the mercury in a thermometer at Norfolk, kept by Mr. W. G. Lyford, in the sun, was at 101 deg.

In 1821, January 26, the river from Norfolk to Portsmouth, and down to the bite of Craney Island was completely frozen.

In 1822, January 25, the thermometer stood at 14 deg.

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*It was from about the year 1560, until early in the seventeenth century, that a distinct centre of magnetic attraction existed between Greenland and Nova Zembla, which shifted irregularly, from east to west, about twenty-five degrees, in the course of one hundred and sixty years. During the above period, the needle pointed to *Spitzbergen and the Greenland sea*, throughout the west of Europe, and *not* to the *American pole*, as within the last hundred and twenty years.

In 1827, January 21, the river was frozen across from Norfolk to Portsmouth, and on the succeeding day from Lambert's Point to Craney island.

THE PRUSSIAN SYSTEM OF EDUCATION.

We make the following abstract of the system of education existing in Prussia, from an "*outline*" furnished by a commissioner from the king of that country, now travelling in this, to collect information on the subject of our social and political institutions.

The system of public school education, in Prussia, is admitted to be far superior to that of any other nation, and, therefore, the brief notice here taken will not fail to be interesting.

Seminaries for the teachers of primary schools are supported entirely by government, from a general school fund—which is divided into two distinct funds, viz: the Catholic and the Protestant. Some of these seminaries have ancient endowments in landed property, which contribute towards the annual expense, and consequently lessen the burthen on the royal treasury. In the year 1833, the expense for 33 seminaries, amounted to about $80,000, of which the treasury only had to pay $60,000.

In 1833, there were 42 seminaries for teachers, to each of which there is attached an elementary school for children; designed to afford the means of developing the practical skill of the future teachers.

Their expense is nearly a fifteenth part of the cost of the primary schools; which is borne jointly by the parishes, or communes, and the state, the former paying nineteen-twentieths and the state one twentieth part of the expenditures.

The whole of the expense of the buildings occupied as seminaries, as well as those in which the professors and pupils live, of the libraries, apparatus and musical instruments, is borne by the state.

The board of the pupils is paid for by most of them, though it is a burthen assumed and provided for by the state. Those pupils who receive their education and support from the state, wholly, are legally bound to fulfil for three years the situation of schoolmasters, for which they receive an annual salary. Should they, however, refuse so to do, they are compelled to pay into the state treasury fourteen dollars per annum, for each year they were at school, and the whole amount of their board.

Of the forty-two seminaries existing in 1833, 28 were large, with from 25 to 100 pupils each, the law limits the number to 60 or 70. In addition to these large seminaries, there are fourteen branches, with from 6 to 18 pupils each. These latter seminaries are sometimes in charge of an experienced minister, and the expense is borne in part by the state.

In some of the larger seminaries, the state gives, beside board, a small gratuity to some of the best informed pupils, who act as assistant teachers.

The usual length of the course of education is three years, each year two terms. In the smaller or branch seminaries, the course is but two years.

The schoolmasters are annually convened at some one of the seminaries and receive instructions, for about three or four weeks, upon new inventions and improvements; and besides these the teachers hold weekly circuit conferences for purposes of instruction, at which they comment on new works on education, keep exact minutes of their transactions, and read their own observations or papers on subjects connected with the science of education.

The course of instruction consists of, 1—the study of the Bible and works illustrative of the religious and moral duties of man. 2. The study of the German language, together with exercises in reasoning orally, and in writing. 3. The mathematics. 4. History, natural history, natural philosophy, geography and cosmology or physical geography. 5. Music. 6. Drawing and penmanship. 7. The theory and practice of education and teaching and their connection with religious service. 8. Gymnastic exercises; and, 9—where it is practicable, theoretical and practical instruction in horticulture, in the cultivation of fruit trees, and in husbandry.

The utmost care is taken to infuse into the minds of those who are trained for teachers, a spirit of Christian charity and love. The directors of these institutions, who are men of piety and learning, give such direction to the course of instruction as to render the most rigid system of self denial not only sufferable, but a source of pleasure. On the whole, the schoolmaster is so trained as to form a central point of religious, moral and intellectual information, dispensing its beneficent beams through the whole extent of the surrounding community. To use the language of the commissioner, "the whole system of instruction tends to a religious and moral end, and rests on the sacred basis of Christian love. As the most affecting, and indeed, sublime example of this spirit, I mention the little branch-seminaries, for training poor schoolmasters in such habits and such feelings as shall fit them to be useful and contented teachers of the poorest villagers. Here is poverty, to which that of the poorest laborers in this country is affluence; and it is *hopeless;* for to this class of schoolmasters no idea is held out of advancement or change. Yet, if ever poverty on earth appeared serene, contented, lofty, beneficent, it is here."

Each of the larger seminaries has a house with ground attached for gymnastic exercises, and the purposes of horticulture, and an orchard with fruit trees, to teach pomology, a library comprised, principally, of works on theology, moral philosophy, the art of education and teaching; historical and geographical compendiums; books on natural history, natural philosophy, husbandry, the cultivation of fruit trees and vegetables, rearing of bees and silk worms, the German classics and musical works and compositions, in addition to which there are various musical instruments, and such apparatus for chemistry and natural philosophy as are requisite for those primary branches of both sciences which may be of use to the future schoolmasters, as also a small cabinet of natural history, consisting of minerals, plants and animals.

The whole number of inhabitants in 1831, exclusive of the army was 12,780,745; of these there were of children from 7 to 14 years of age 1,043,030. There were 21,889 primary schools, teachers in primary schools of both sexes, 24,919; scholars in the elementary schools 1,917,834; middle schools for boys 481, for girls 342; (teachers in do. males 2,296, females 514), schools 103,477; colleges for citizens and grammar schools 140, teachers 1,493, scholars 26,041, making in the whole 2,047,352 pupils receiving instructions in the three grades of schools.

In addition to what is taught in the seminaries for teachers, in the elementary schools, the pupils are instructed in manual labor and agriculture; in the middle schools they are taught as much Latin as is necessary for the exercise of the mental faculties and the power of judgment.

An hour or two, each day, is devoted to what is termed logical exercises, which consists in conversations between the teachers and pupils, the former relating facts connected with history, natural history and geography, and requiring the latter to make their comments and observations thereon, thus awakening in them a spirit of inquiry, sharpening their judgments, and developing their faculties of thought, reflection and discrimination. Such a course of instruction is obviously well adapted to the improvement of the youthful mind, and it is evident that it has much in it which others states might advantageously imitate.

LIBERTY OF THE PRESS—IN FRANCE!

Chamber of peers December 16.

Baron Pasquier in the chair, at 1 o'clock. The expected proceedings of the day had caused a very considerable crowd to collect at the doors of the chamber. The public galleries were excessively full, and even the reporters' gallery was closely besieged by a number of individuals anxious to obtain admittance. Amongst the number were several members of the other chamber, who had in vain endeavored to effect an entrance elsewhere. M Dupin, the president of the chamber of deputies, and lord Brougham, were observed in one of the public galleries. The president of the council, (marshal Mortier), and the minister of the marine, were in their usual places. 155 peers were present.

The minutes of the last sitting were read and adopted, and a committee was appointed to examine the bill on the function of the municipality.

At half-past twelve M. Rouen, and his advocate, M. Carrel were placed at the bar of the chamber.

The president called the attention of M. Rouen to the cause for which he was summoned to the bar of the chamber, and proceeded to read to him, in succession, the following articles of the law applicable to his case: art. 15 of the law of 25th March, 1822; art. 9, 10 and 11 of the law of 9th June, 1819; and art. 14 of the law of 18th July, 1828. He also recommended both the accused and his counsel to express themselves in becoming and moderate terms, and with due respect for the law; adding, that the observance of this, their bounden duty, would be rigorously exacted, were they before a judicial tribunal, and would not be less strictly enforced by the chamber.

M. Rouen then commenced his defence. He stated, that for some days past certain organs of the press had enlarged, with much apparent satisfaction, on the certainty of his condemnation. Had such been his opinion, he would have made no defence, but the respite of four days, which had been granted to him, led him to indulge a hope that even at the bar of an exceptionable court, the voice of truth would not be heard in vain. Had his political opinions differed from those advocated by the journal to which his signature was affixed, he would not have taken upon himself the responsibility of those opinions; but he now declared to the chamber, that one common spirit animated the intelligence which directed the *Nationnel*, and the unflinching devotion which accepted the responsibility of its articles. The paragraphs which appeared obnoxious to the chamber had been submitted for his approval; and as he had considered the opinions expressed in them just and true he had unhesitatingly sanctioned them, by signing his name to the last page of the journal. He had before now made sacrifices for liberty. Under the restoration he had not trembled, in presence of the scaffold, which craved the blood of ardent and youthful patriots, and was it expected that he would now shrink with terror?—During ten years he had played his part in the drama, the sublime *denoucement* of which was the revolution of July. At that period he had undergone a lengthened incarceration on suspicion, and for that reason he could well understand the bitterness of spirit felt by those now exposed to a similar lot. When hundreds of unfortunate prisoners demanded justice, and when the voice of power replied with pitiless and insulting calmness—"Wait, your numbers are too great; wait for the erection of a court of justice large enough to contain you all," was the *Nationnel* to be silent? Was it not to cry shame on the language of

derision and barbarity? Was it not to brand the men so ready to do the work of power? Was the tone of complaint the language of guilt? But it was said that the complaints of the *Nationnel* were full of gall and bitterness. Were the peers themselves calm when they summoned him to the bar of the chamber? Above all, were those peers calm who declared their opinion that no respite, no delay, should be granted to him? He had already been sentenced to six months' imprisonment, and was about to undergo a fresh trial at the court of assizes. If the peers, too, were to condemn him to an additional incarceration, he might deplore the error of some amongst them—he might complain of the thirst of vengeance displayed by others of their body, but he would never dispair of the future liberties of France.

M. Rogen having sat down.

M. Carrel now rose—(Marks of attention.) He knew not what might be the feelings of the chambers called upon to judge the accused and those who participated in his opinions, but for his part he had not recovered from his amazement at the sudden overthrow of principles—at the unexpected changes which had rendered them amenable to the jurisdiction of the peers. Four years ago the assembly of which the peers formed part was at issue with the country, and the aristocratic peerage had to bear its part in the defeat of the counter revolution. At that period, the *Nationnel* had summoned the citizens to arms, and demanded the expulsion of some of the members of the peerage, and yet such acts were not regarded as crimes, but as laws dictated by a triumphant revolution. He was not besotted enough to believe that a situation brought about by the exciting language of the public journals could last, but yet they had all witnessed one of those convulsions, produced rather by the incorrigible folly of a government than by the irritable feelings of the people. A journal uttered the cry of alarm—the watch word, and the power of the oppressor was crushed with a facility which amazed even the conquerers in the struggle. Such a catastrophe afforded a severe lesson, and yet a lesson which was not always turned to advantage. Some months afterwards, affairs resumed their ordinary course, and as the same questions were once more agitated in a manner which rendered a fresh catastrophe a matter of inevitable necessity. Blood had streamed in torrents, but for what had that blood been shed? Had it flowed for liberty and the country? Had a revolution taken place! Was it, indeed, true that the palace of the sovereign, that very chamber—nay, that very capitol, had belonged for 10 days to a magnanimous people? Were journalists imposters because they remembered that, no more than four years had elapsed since the sovereignty of the people was proclaimed—and since it had been acknowledged that from them flowed all legislative and executive authority? It had been thought enough to allow the *Nationnel* the privilege of offering explanations, but not of making defence—for it could enter upon its defence only in presence of its natural judges. The chamber had been unable to resist the temptation of judging in its own cause, in virtue of an obsolete law which had not been repealed in 1830, because none had then imagined that it could ever be put in force in a free country. From that omission might be gathered the fact that liberty cannot be founded on a triumphant revolution, but upon the securities obtained before the conquerers lay down their arms. Under the restoration the men of July had learned how to regain, but not how to preserve their liberties. What now remained to the revolution of 1830? An emblematic symbol, the tri colored flag; a word, the sovereignty of the people—and lastly, a stiking example, to teach the people that the destinies of a country should never be abandoned to despair.—(Great sensation.)

After the expulsion of the fallen dynasty, when the men of the restoration once more walked abroad, they had not been sufficiently distrusted. France had supposed them incapable of acts of daring—and they had dared! Here M. Carrel had described in glowing terms the illegalities committed for the last four years by government, and particularly the prosecutions directed against the press. The *Nationnel* had been despoiled of its rights, and menaced in its interests, though that very journal had in 1830 originated the proposal for placing the dynasty of Orleans on the throne. For his part he asked forgiveness of his country and of the world, for his share in the offence. (Great agitation). M. Carrel next remarked that no passage of the article which formed the subject of the accusation was particularly designated as offensive. Where then lay the defamation? Defamation always had a character of personality, but in the article complained of, no individual was accused by name. It was not to be supposed that the fame of the members of the chamber was bound together like the pecuniary interests of a company of speculators. M. Carrel then alluded to the disavowal demanded by lord Brougham from the publisher of the *Morning Post*, when the latter was summoned to appear before the bar of the house of lords for misrepresenting the acts of the noble and learned lord. (At this moment all eyes were turned in the direction of lord Brougham, who was in one of the galleries). M. Carrel contended that the case bore no reference to that now before the chamber. Lord Brougham had exacted reparation, but not vengeance, and an unfair application had been made of the precedent here, where it was not understood. M. Carrel next briefly summed up the charges made against the *Nationnel* by M. Phillippe de Segur, and stated that the explanations of that journal would have been: 1st. Upon the causes of its alleged disrespect for the peerage; 2d, upon its rights as an opposition journal, to discuss the competency of the court of peers to decide on the affairs of April; 3d, upon its right to discuss the report placed before the public, in consequence of an indiscretion not within the jurisdiction of the chamber; and 4th, upon the right which the *Nationnel* enjoyed in common with all France of examining the composition of the majority of the chamber—a majority which had but a life interest in the privileges, and which might at any moment be changed by fresh additions to the peerage. Following the order established in his division, M. Carrel remarked that the hostility of the *Nationnel* against the peerage had commenced with the existence of that journal. In support of his assertion, he quoted an article of M. Mignet, (now a member of the council), which was published in February, 1830. In this article the chamber had been designated as an asylum for all deputies—an hospital for the wounded. In spite of such language, which was far more offensive than contained in the article of the *Nationnel*, no prosecution had been directed against M. Mignet. M. Thiers, too, the present minister of the interior, had also written and published in the *Nationnel* two articles against the peerage, remarkable for their violence. M. Carrel now proceeded to enumerate the causes of the hostility displayed by the *Nationnel* towards the peerage; amongst which, the most prominent was the constant refusal of that body to revise the trial of marshal Ney. For his part he would say, that the judges of that departed hero were more in need of advocates and defenders than the memory of their victim. (Great agitation).

The president here interrupted M. Carrel. He could not permit such observations to be made; and, if persisted in, the chamber would be justified in making him (M. Carrel) the subject of a prosecution similar to that now directed against the *gerant* of the *Nationnel*.

M. Carrel replied, that if any peer within the walls of that chamber was offended by his language, he was at liberty to summon him to undergo the penalty incurred by it. He (M. Carrel) would at any moment be ready to appear at the bar of that chamber; and he would cheerfully submit to be called the first man of the generation of 1830, who, in the name of France, had entered his protest against an infamous assassination. (Cries of bravo! from the public galleries).

The president upon this stopped M. Carrel, when general Excelman's, who had previously risen, in spite of the president's declaration that he was out of order, exclaimed with great energy, "Right! The death of marshal Ney was an abominable assassination."

(This declaration was received with loud applause from the galleries. M. de Tascher demanded the immediate exclusion of those who thus interrupted the proceedings, but the only conequence of this appeal was a repetition of the applause).

The president then asked M. Rouen if he had any thing further to urge in his defence.

M. Rouen replied that M. Carrel had not concluded; but the president declared that he could not be suffered to continue.

M. Carrel hoped the chamber would not make M. Rouen suffer for the position in which he (M. Carrel) had placed himself, and declared that the remainder of his address, which was committed to writing, was free from all offensive language. Having been allowed to proceed, he maintained, that as the accused were all avowedly hostile to the peerage, that body could not, in the present case, judge with impartiality. After commenting on the different laws passed during the last session, he suddenly stopped, and after a pause, said—"Gentlemen, I again find in my manuscript the name of marshal Ney, but I have given my word not to pronounce that name; I must first ask permission to do so."

The president, with great warmth, refused the permission solicited by M. Carrel. (Strong sensation).

M. Carrel observed that this incident was the best defence he could urge in favor of M. Rouen. Was it believed that the elder branch alone is answerable for the blood of marshal Ney?

The president here again interrupted M. Carrel, and insisted upon his confining himself within due bounds.

M. Carrel replied that a discussion of the former acts of the peerage was a necessary part of the defence. He begged the impeachment against the *Nationnel de* 1834, as drawn up by E. Philip de Segur, to be again read, as it would show that the journal had been accused of similar attacks against the peerage ever since 1830.

The president again recommended M. Carrel to confine himself to explanations on the article which formed the subject of accusation.

M. Carrel replied, that the entire of the article formed the subject of accusation. The *Nationnel* was charged with having published language offensive to the whole peerage; he had therefore been compelled to make a separate attack upon every portion of the mass of the chamber in order to justify the attacks of the *Nationnel* upon the whole. If his allusion to the condemnation of marshal Ney had produced irritation, it had also excited sympathy among some of the peers: He would cheerfully answer any questions put to him by the president.

The president said, that M. Carrel must be aware of the points upon which explanations were necessary. Nothing could be more clear. (Oh! oh!) On the subject now touched upon it was not allowable to make distinctions, as the whole chamber took upon itself, the responsibility of its acts.

M. Carrel complained of the difficulty of his position—if he continued as he commenced, he would be again interrupted; and as no questions were to be addressed to him, all defence became impossible. He therefore formally demanded that the

chamber should be consulted on the question of the defence. He had obtained from a jury the acquital of the *Nationnel de* 1834, because the jury was neutral; but he was now before a tribunal composed of men to whom the avowed opinions of the *Nationnel* were obnoxious; he therefore again declared that a defence was impossible. He could neither allude to the former acts of the peerage, nor even to the terms in which the accusation made by M. Philip de Segur was framed. He would therefore be silent.

The president then asked M. Rouen if he had any thing to add.

M. Rouen—"Nothing; except my protest against the mutilation of my defence."

M. Rouen and M. Carrel having been removed from the bar, the chamber proceeded to the ballot on the question of guilty or not guilty, and M. Rouen was declared guilty by a majority of 138 to 15.

President then stated to the chamber that the minimum of the penalty of imprisonment incurred by the accused was two months, and the maximum 3 years—the minimum of the fine 100fr. and the maximum 10,000fr. Each of the peers was required to inscribe upon a bulletin the amount of fine and the term of imprisonment, which in his opinion he conceived should be inflicted, and afterwards to deposite his bulletin in the urn.

M. Dubouchage recommended the chamber to impose the minimum of the penalty, and added that the severity of the chamber of deputies towards the editor of the *Tribune* had not diminished the virulence of the press.

M. Rouen and M. Carrel having been again placed at the bar, the latter expressed a hope that as M. Rouen had not long been the responsible editor of the *Nationnel*, the chamber would weigh more heavily on the journal than on his client, and diminish the imprisonment, though it might augment the fine.

M. Rouen and M. Carrel again withdrew, and the chamber proceeded to the ballot on the question of the amount of the fine. The following was the result: for the fine of 10,000fr. 121 votes; for 5,000fr. 10 votes; for 1,000fr. 2 votes; for 200fr. 11 votes; and for 100fr. 3 votes.

The *gerant* of the *Nationnel* was accordingly sentenced to pay a fine of 10,000francs.

On the question as to the term of imprisonment, two ballots took place without any absolute majority. The following was the result of the second ballot: 67 votes for two years, and 36 votes for one month. The third ballot on the question as to which of these terms should be inflicted, gave 98 votes for two years and 50 for one month.

The chamber accordingly sentenced M. Rouen to be imprisoned for two years.

The sentence was then read and passed, M. Lanjuinais alone voting against it.

The president having stated that sentence should be communicated to M. Rouen by a *hussier*.

The sitting was then adjourned at 5'olock.

AN ANCIENT EXECUTIVE MESSAGE.

From the Maryland Republican.

An obliging friend has handed us a copy which he took from the records in the council chamber, of an executive speech, delivered by *William Josephs*, esq. president of the upper house of assembly of Maryland, before the two houses, on opening of the session of the year 1688. As this is the season of the year when most of the four and twenty governors of our four and twenty "sovereignties," as well as the federal head of the whole, are by usage held bound to produce something of the kind, we publish this record of the talents of our forefathers in that department, as one of the most venerable of authorities to which any of our infant archives can lay claim. The pithy language in which the article is clothed, is not less remarkable than the logical derivation of the powers and prerogatives which it asserts, and which, though so long out of vogue in this region, seems likely to be speedily revived. Nor is the article without points from which instruction may be derived; it may be read no less for improvement than to gratify curiosity—besides, being now something *new* and novel in its way, one would think should be no small recommendation to it.

Gentlemen: It cannot be (or at least I hope it is not) unknown to any the members of this honorable assembly, that the unquestionable duty of every of us in particular and of us all in general, that we render thanks and praise to the Almighty for that it hath pleased the Divine goodness thus to bless us in this (I hope) so good and happy a meeting, nor ought we to be strangers to the end and duty for which the Divine goodness hath ordered for that there is no power but of God, and the power by which we are assembled here is undoubtedly derived from God, to the king, and from the king to his excellency the lord proprietary, and from his said lordship to us, the power therefore whereof I speak being as said—

First, in God and from God.

Secondly, in the king and from the king.

Thirdly, in his lordship and from his lordship.

Fourthly, in us, to the end and duty of, and for which this assembly is now called and met is that from those four heads to wit:

Of God
The king
Our lord
and selves } We consider, and first, Of our duty in reference to God.

That is to say, that part of our duty to God which properly lyeth before us, and that I humbly conceive consists in the well ordering and making of good and wholesome laws whereby to punish all publick and scandalous offences which shall at any time be committed by the people of or within this province against the Divine Majesty. But more especially I commend to your care the utter suppressing and abolishing the several heinous and habitual crimes now most in mode and use amongst the people, as drunkenness, adultery, swearing, Sabbath breaking, &c.

Drunkenness, gentlemen, that beastly sin (to the shame of the guilty be it spoken) is but too common among the people of this province, to the utter ruine not only of their souls, for that drunkards shall not inherit the kingdom of God, but also of them, their children and families against whom, God by his prophet Isaiah pronounceth woe, saying woe to the drunkards of Ephraim. And ought not we then to fear and tremble least God in like manner should (according to our deserts) pronounce woe to the drunkards of Maryland, it being doubtless a sin of all sins the most dangerous, for not content in itself, it strangely leads us into (almost) all manner of sin and vice, depriving us not only of God but even of ourselves, for it basely unmans us to that degree that it makes us become greater beasts than beasts themselves, so shameful it is to see doggs to have more sense than their masters, and horses more understanding than their riders. The scriptures tell us that the drunkard shall come to poverty. If therefore the drunkenness of one man (as doubtless it will) shall bring himself and family to ruine, why then shall not drunkenness, when it becomes the publick sin of the people, bring the whole nation to destruction as indeed it often doth, many instances whereof I could produce of divers kingdoms and nations that for drunkenness, have been punished of God and given as a prey to their enemies. There has, gentlemen, been several good statutes made in England against this sin of drunkenness, but they have failed of their end, the reason whereof in my opinion is, because the penalties inflicted by these laws were not laid severe enough, wherefore I hope it will become the prudence of this assembly as to consider this so great an evil as for the future no such disorders may be committed, to the end you may with Joel say, awake ye drunkards, and weep and howle, &c.

In like manner I recommend to your care the utter suppression of that most horrid and damnable sin of adultery which in these days is grown to that height, that with the prophet may justly say, the land is full of adulterers. This sin, gentlemen, in the old law was (as I wish it were by law now) made punishable by death; for it was desired that he that committeth adultery with his neighbor's wife, the adulterer and the adulteress shall surely be put to death, and with reason, for it not only brings our estates to ruine, as it is said that by reason of a whorish woman a man is brought to a piece of , but it also brings both body and soul to eternal death; for as to adulterers (drunkards) it is said, that adulterers shall not inherit the kingdom of God, so abominable and shameful is it for men especially married men to keep whores, as I hear some do, not only abroad but even at home under their wives noses where the strumpets rule and the wives obey to the scandal of all honest and good men; wherefore I pray it may be taken into such consideration as for the future such villains may be excluded from all humane, or at least Christian society.

As also I pray you may consider duly of that most abominable sin of swearing, which doubtless occasions many judgments from heaven to light upon us for that because of swearing the land mourneth. But fearing I may be misunderstood by some, I will, before I proceed further, distinguish between lawful and unlawful swearing. I say lawful for that God himself hath sworn the oath which he swore to our father Abraham "By myself have I sworn saith the Lord; every one that sweareth by him shall glory; thou shalt fear the Lord thy God and shalt serve him and swear by his name; for when God made promise to Abraham, because he could swear by no greater he sware by himself; for men verily swear by the greater and an oath for confirmation is to them an end of all strife" so therefore the swearing which I deem lawful is that which is sworn in and for justice' sake, for if all swearing which by the laws of God is forbid, and against which I earnestly move this honorable assembly, is, that (but too) frequent blasphemy and taking the name of God in vain upon every frivolous and light occasion, not in truth and justice, but in passionate puff and hector in piddling shops and such like other places of sottish behavior, as is also forbid that other most damnable way of swearing where under the cloak of justice and truth they mean the greatest falsehoods to the often ruine of the people in their lives and fortunes, and this the law calls *perjury*, and is indeed a crime that we shall be amenable for before the judgment seat of God, if by making of wholesome laws (whilst it is in our power) we do not endeavor to suppress so great and grievous a mischief, for that because of this swearing the land mourneth; and under it will also come into consideration not only the perjury of false witnesses at the bar, and before justices but also of false affidavits swearers and swearers of false answers in chancery, as also all false jurors of both the grand and petty pannells, who do not act as they are sworn to do, nor proceed as they ought according to their evidence, the evil whereof will lye at our own doors, if as said, we prevent it not.

The fourth thing mentioned under the first and greatest head of duty towards God, is that of breaking the Sabbath by labor-

ing and doing work therein not of necessity to be done, as also any idle spending and passing that day in drinking, tipling, gaming, &c. all which unchristian practices will, (I hope) by the prudent care of this assembly, be prevented, as will also, I hope, all other public and scandalous crimes, now most in mode amongst the people. Thus having, in the first place, gone through these things which relate to our duty in reference to God, it will then become the duty of this honorable assembly to proceed in the second part, which is that we duly consider of all such matters as by the Providence of God, shall offer in reference

To our sovereign lord the king.

Kings, gentlemen, are the lord's anointed and are by God appointed over us to rule, and (next under God) the king, we are bound to fear and honor, for that it is said, fear then the Lord and the king, and again, fear God and honor the king, for that a divine sentence is in the lips of the king, and the king by judgment establisheth the law, and his mouth transgresseth not in judgment, and the king's commands we are, by the laws of God, bound to keep, for that it is said, keep the king's commandment, and that in regard of the oath of God, for whoso keepeth the commandment of the king, shall feel no evil thing. The king, gentlemen, by his order in council, bearing date the 4th day of December, 1687, hath required of us that we, with Virginia, pass an act prohibiting bulk tobacco to be exported out of this province, &c. This order, gentlemen should have been here sooner, but by some neglect or other of the clerks in England, it came not to my lord's hands in time, so as to have been sent by the last year's shipping. But sooner or later, the king is and ought to be obeyed. None, perhaps, will presume to question the advantage or disadvantage that may arise by passing of such an act, which is indeed unbecoming subjects to call in question the proceedings of the king, as if the good and evil which thereby might or could arise, were not fully and duely considered of in England by the king's most honorable council, from whom and by whose advice that order did proceed. But such is the leaven of some, as always to treate with dislike, the best things even proceeding from the best of kings and best of governments, and that for no other reason, but because it came from the king.

Gentlemen: I hope the ill-advised proceedings of a late neighboring assembly on this occasion, will be no president of force to weigh with you, but as men of better principles, you will shew that in allegiance and loyalty to your king you know better to obey. I say you will know better, for that it is obvious to every man of sense that they were strangers to their duty; inasmuch as they ought to know that mercy and truth preserve the king, and that in the light of the king's countenance is life, and also that the wrath of a king is as messengers of death, and shall he whoso provoketh the king to curse, sinneth against his own soul, and who knows what just resentment the king may have of such as well undutiful as disloyal pratices.

There is one thing yet remains upon which I will, before I conclude this our second part of duty, move the gentlemen of this honorable assembly, which is, that an anniversary act may unanimously pass of general thanksgiving to Almighty God for the infinite blessing which God of his goodness has been pleased to bestow on their sacred majesties, their subjects and dominions, in the birth of so noble and glorious a prince; to be held and kept holy throughout this province on every 10th day of June, during the whole life of the prince, which God (who of his mercy gave him), grant may be long and happy, and to that intent with the royal prophet joining, says, "give the king thy judgments O God, and thy righteousness unto the king's son."

The third part of our duty whereof I spoke is that which, by the blessings of God, shall occur in reference

To his excellency the lord proprietary of this province.

[Here we omit a page of fulsome eulogy on the character of the lord proprietary.]

I shall and do desist the further pressing of this point to the intent, I may the sooner come to the fourth and last part of our duty, which is,

That you take all due care of yourselves;

That is to say of the people, whose representatives you are, and this you cannot better do than by providing such good and wholesome laws as shall in the first place suppress all public sin and scandal, as said in the first part of the duty towards God, least for the publick sins of the people, God should inflict the whole province with plagues and judgments from heaven, and next unto this your care, will be to study the general good of the people as well by devieseing, as readily complying with all such acts, as by the blessing of God shall happen to be proposed in this assembly, which shall any way stand to the security of right and reall good of the people in general, and herein all private and self interest is to be abhorred so rationally conceived for the publick, ought you and every of you to be; unto all which I shall freely contribute with all the faculties of a truely willing heart and mind; so God of his mercy guide, direct, bless and preserve all your good and faithful undertakings—amen!

Gentlemen: I have one thing more to offer which is—first, by way of advice, that before you begin to make laws, you do not begin to break laws, and

Secondly, by way of demand, that you and every of you, and I for example, will take the oath of fidelity to the right honorable the lord proprietary, as the law directs, which, if any refuse to do, the government will according to that law proceed, for if you obey not the laws that are made, who think you, will obey the laws that you are to make? So God of his mercy direct you as before, is prayed.

DINNER TO THE HON. C. GAYARRE.

From the New Orleans Courier, of the 28th January.

On Monday last a dinner was given to the honorable Charles Gayarre, our recently elected senator to congress, by his personal friends, as a mark of their esteem for him as a man and the regard which they entertain for the independent stand which he has taken in the cause of democracy, and for his public and private character. In the course of the evening Mr. G. made an able and eloquent speech, fully sustaining the president in all his measures. We commend the speech to the perusal of our readers, who we are sure cannot but be pleased with the judgment and talent adduced. Mr. Gayarre is the second Creole that has been elected to congress: and it will without doubt be highly gratifying to our venerable chief magistrate to see such an enlightened son of Louisiana, as Mr. Gayarre, sustaining those measures on the floor of congress which are so conducive to the public good: and which have heretofore been wantonly sacrificed to serve private animosity, and party predilections.

New Orleans, January 27.

SIR: Although of opinion that the sentiments expressed amidst the convivality of a dinner of friends, and partaking of the excitement of the occasion, are not worthy of publication, and never appeared to advantage when exposed to the cold atmosphere of public criticism, yet I deem it my duty to sacrifice my feelings on the subject, and to comply with the resolution adopted by the guests of the entertainment and officially communicated to me by their president. In obedience, therefore, to that resolution, I transmit to you the speech which I delivered yesterday, in all its original imperfection.

I am, sir, very respectfully, your most humble and obedient servant, CHARLES GAYARRE.

GENTLEMEN: I rise to tender you in feeble and inadequate language, the feelings of a heart overflowing with gratitude at the testimonials of friendship and esteem which you are this day bestowing upon me. Deeply, deeply do I know that they are not justified by any merit which I may possess; and I stand humbled in my own estimation when I compare my poor abilities with the high honor which has been conferred upon me by the legislature of the state. The day which would have dawned upon the election of a Louisanian to the senate of the United States, would have been for me a day of exultation ever to be cherished in fond and patriotic recollection. What must it be when I am the chosen one who has been elevated to that dignified station? I should feel the proudest of mankind, if a sense of my inferiority did not flash upon the buoyancy of my spirits and depress the relation of gratified ambition. When I think of the immense responsibility which I have incurred, and when I weigh that responsibility with the means which I have to meet it, I am ready almost to sink into dispair, and to regret the youthful presumption which has prompted me to an undertaking much beyond my age and the powers of my mind. My only reliance is in the patriotism which I feel glowing in my breast. I trust in the miracles which love of country has worked in all ages, and I cling to the hope that it may stimulate me to exertions of which I thought myself little capable. By patient labor and indefatigable industry, I shall endeavor to make amends for the talents in which I am deficient, and if it be necessary that my voice be heard in defence or support of the interests of Louisiana, that voice shall be heard, that voice shall pour out the honest convictions of my heart, not, it is true, in the gorgeous pomp of oratorical display, but in the plain, unvarnished and manly language of truth. With whatever awe I may stand in the presence of the Clays and the Websters, and those other mighty spirits who strive for pre-eminence in the political arena, and whose mental superiority to me I deem infinite, yet I consider it my duty not to allow any cowardly modesty to paralyze your representative in the capitol of the United States, in the hall of freedom, in the sanctuary of equal rights. It shall not be said of a native son of Louisiana, that his tongue faltered in his mouth when she bade him speak her sovereign and independent will in the presence of her confederated sisters, and since it has been her pleasure to select the humblest of her children to represent her in the great council of the nation, may the star that presides over her glorious destinies, shed a benign and inspiring influence upon her faithful servant, and may that benevolent Providence which has already done so much for her prosperity, purify my heart, enlighten my mind and render me worthy of and equal to those high duties which I am so solemnly called to perform by our common and beloved mother, Louisiana the young, the beautiful, the rich, whom future ages will find combining all the famed excellencies of Italy and Egypt, and whom they will salute as the boast of America.

Gentlemen—it is, no doubt, not expected that I should interrupt the social hilarity of this delightful banquet with a long, minute and detailed exposition of all the tenets of my political creed. Ill-timed, indeed, would be a grave discussion on great constitutional questions, when the bowl is there, at hand, sparkling with generous wine, and when the time, the hour, the circumstance, and every thing that the eye rests upon, solicits the politician to disappear and to give way to the man of pleasure

and of convivial wit. Suffice it, therefore, to say, that I have been and still remain, a strong and staunch friend and supporter of the present administration, under a conviction that it is conducted in a spirit congenial with the true principles of the constitution, and that it will, in the end, promote and secure the welfare and prosperity of the union.

I must confess, that I cherish for the venerable patriot who is at the head of our government a feeling of strong personal predilection, which dates from the earliest days of my boyhood. I was hardly ten years of age, when the Tennessean brigade being encamped on a plantation then belonging to my family, I had the occasion frequently to see that successful warrior under the roof of my paternal mansion. There he was presented to my boyish admiration as the saviour of all that was dear to me, and I then looked upon him with childish wonder, mixed with all the gratitude of which I was susceptible at that early period of my existence. It is possible that when grown into manhood, I may have been influenced by the recollections and affections of my childhood. But, gentlemen, as a politician, I believe that I have succeeded in divesting myself of all feelings of undue partiality, and that I have brought myself to view the political course of the present administration in a light which borrows no hue from the relation in which I may stand towards the man whom I love and venerate. I have, I say, examined and investigated the political course of the present administration, not as a blind and slavish partisan, that I scorn to be, but as one owing allegiance to no man, as one soaring above the petty influence of self interest or of ambitious promptings, and as a senator of the United States I will give my support to that administration not because it is headed by gen. Jackson, but because I believe, and if it is an error, it is an honest one, that it walks in the path pointed out and irradiated by the beacon light of the constitution of the United States.

Gentlemen, you know that since the formation of our institutions, the American people have been divided into two parties, the democrats and the federalists. The federalists have always exerted themselves to transform this government into a strong one through a broad interpretation of the constitution, and have attempted to assume for the government every kind of power by implication. If they had succeeded, the beautiful fabric of our constitution would have been defaced, the state sovereignties annihilated, and the general government would have extended an imperial sway over all the states degraded into vassalage and provincial insignificance. But they were successfully opposed by the democracy of the union, the true republicans, who contended for a strict interpretation of the constitution, and who maintained that all the powers not expressly delegated remained with the states. Elected by the democracy of the union, general Jackson has remained faithful to that democracy like the light which, to use the language of the scripture, walked in the shape of a column of fire before the people after the heart of God, through Egyptian darkness, the genius of democracy has guided the steps of the man after the people's heart, through all the clouds and the tempest raised by headlong opposition, and has been steadily leading him on to glory and immortality. If Napoleon said with prophetic sagacity that the French revolution would never retrace its steps, with a greater approximation to truth may it be said that American democracy never will go back. With one foot on Maine and the other on Louisiana, she will raise her Godlike form to heaven, and she will move onward and onward, the companion of future ages, crushing in her course the hydra heads of aristocracy, in whatever place and under whatever forms they may appear.

Yes, gentlemen, the present administration has been faithful to the true principles of the constitution, and to the republican creed of democracy. Who has checked the wild scheme of pretended internal improvements, the object of which was to perpetuate the national debt and to chain the states at the feet of the general government? Who has declared that no appropriation should be made out of the national treasury except for national purposes? Who has crushed that system of bribery which meted out in congress the public moneys to the different states in proportion to the number of their votes and to their political importance? a system from which we have specially suffered. New York and Pennsylvania, with their thirty and forty votes swallowing up all the appropriations, and not leaving to Louisiana even the dregs of the cup. To whom do we owe that the world has not witnessed that most disgraceful of all scenes for national pride and patriotism, the states scrambling and squabbling for a pittance from the government, like so many beggardly clients at the door of a Roman prætor? Do we not now represent the extraordinary spectacle of a nation without debt? has not the constitution been kept in its virgin purity? has not nullification retreated before the immense popularity, the consummate prudence and the iron firmness of our chief magistrate? has not the armour which dared to gleam even in the capitol of the United States, half concealed under senatorial robes, been laid aside?—for all these benefits we are indebted to the present administration.

But, gentlemen, as a new state, we owe the president a special tribute of gratitude for the veto which he put upon Mr. Clay's land bill, the object of which was to sell the public lands, and to divide the proceeds thereof among the states, according to the ratio of population. For that veto which saved us from he blasting effect of a bill originating in the ambition of a skilful politician, who, no doubt, relied for success on the supposed feupidity of our northern brethren, we owe him as much gratitude as for the victory which preserved us from British invasion. For my part, I had rather see the public lands of Louisiana, which were so unjustly extorted from our convention in 1812, deeply buried in the bosom of the ocean, than wrested from the hands of our fellow citizens, to be made the spoils of party ambition and held out as a splendid bauble to purchase the votes of the old states at the expense of their weaker confederates.

I come at last to that immense moneyed corporation which extended from the frontiers of Maine to the mouth of the Mississippi, and which threatened to taint and to corrupt forever the purity of our institutions. When the bank of the United States was created, a celebrated statesman, John Randolph of Roanoke, looking into futurity with the keen-sightedness of an eagle, and anticipating the evils that would result to the union from the prolific womb of that powerful corporation, said that it would be as impossible to put it down, when once in operation, as to take possession of Gibraltar with a pocket pistol. That distinguished son of Virginia ought to have remembered that we lived in an age when nothing was impossible. The bank, the formidable bank, the Gibraltar of the United States, that towered so lately in her pride of place and gloried in her columns of marble and classical architecture, or rather that bastile of America, that projected her gloomy shadow over the liberties of the country, has been battered down by the artillery of democracy and stormed by the energies of an indignant nation rising in support of her leader and encouraging him to the accomplishment of his great undertaking.

Well, the struggle is over, the blow has been struck, the bank is now in the convulsions of death. Where is the distress which prevailed six months ago? gone with the author of it, the bank; it has vanished into the air like bubbles on the surface of a troubled ocean. Our country never was in a more prosperous state; commerce, agriculture, manufactures are flourishing, and prosperity smiles over the land from one end of the union to the other. And yet the bank is as we may say, dying. Let us hope that she will gasp her last in peace; let us hope that out of her tomb a ghostly spectre will not rise to assume again the flesh and substance of life; let us hope that there will be no renovation of those evils from which we have been lately freed by the perseverance and firmness of enlightened patriotism.

Unfortunately, gentlemen, at the very moment when we had removed all the obstacles that threatened to impede the course of our national prosperity, our relations with France, our ancient ally, have assumed an unfriendly aspect. For old injuries, inflicted twenty five years ago, she still continues to refuse reparations, when her high sense of honor ought, it seems, to have made it imperative upon her to repair the wrongs she had done to her best friend. If measures of coercion should be adopted by our government, and if a war should ensue, consequent upon the infatuation of France, we Americans of French origin, will imitate the noble example of the Americans of British origin, when they resisted British oppression, and when undaunted and undismayed, they met and conquered British arms and British valor. We will shew the French that we are truly their descendants; that if we have inherited their language and manners, we have also inherited their valor and that chivalric pride of which they boast so much, and which does not brook the least show of offence. We will show them that we are no bastards, no mongrel curs, but that our veins are warmed with the old Gallic and Norman blood, ready to flow in the defence of our country, and for the glory of the star spangled banner.

Fellow citizens, every year during the interval of the sessions of congress, I will return among you to account for the manner in which I shall have discharged my duties; I will go through every parish of the state; I will visit equally the poor and the rich and inquire with solicitude into the wants of that people, whose servant I am proud to be. If, in the high station to which I have been exalted, I am so fortunate as to be instrumental in advancing the prosperity of any of my fellow citizens, I will thank heaven that I have not lived in vain, and I will then attach some importance to a life which I have devoted to your service and which I hold valuable in proportion only as it is useful to my country.

REPORT OF THE COMMISSIONER OF PENSIONS.

War department, pension office, November 7, 1834.

SIR: I have the honor to transmit herewith, statements, marked from A to H inclusive, showing the number of persons now on the pension rolls of the several states and territories of the United States, under the various acts of congress; the number added to the rolls since the last annual report; the number who have been reported as dead since that time; the number who have relinquished pensions under the act of March 18, 1818, and obtained the benefits of the act of June 7, 1832; and the amount of funds transmitted to the pension agents for paying stipends due the present year.

From the statement, marked H, it would appear that the expenditure has exceeded three millions of dollars.

A very painful duty devolves on me in making this report. I allude to the recent developments in several parts of our country, in which some of the most iniquitous transactions have been discovered to have been perpetrated by men of high standing in society, whose official stations and respectability placed them far above suspicion, and who have taken advantage of the good character they have sustained to practice some of the most daring frauds. In every fraudulent case, which has come

wledge of this department, steps have been taken to s offenders. In some instances prosecutions have ssful, and terminated in the confinement of the cri- state prisons. In other cases they have fled from in every case where, on account of the solvency of there was a prospect of recovering money improper- suit has been commenced.

een ascertained that papers have been presented at tment purporting to contain proof of revolutionary aken in open court, bearing the official seal of the e court, and duly certified by him, when, in fact, the whose behalf the claims were made, never had any naginary existence. In some instances the claims admitted, and money has been paid. In other cases, s been paid to a period after the time when the pen- d; and this last mentioned description of fraud was y means of falsifying the certificates of a clerk of a ecord. The person who made these false certificates for a great number of claimants; had free access to f the court; the clerk on one occasion affixed his sig- d seal to blanks, leaving them to be filled up as they required. These papers fell into the hands of this l be used them for his own purposes. The judge of the clerk, and the author of these forgeries, it would e first blush, were all equally concerned in this nefa- ness. But the two former, on being questioned in re- e matter, frankly owned that they had such unlimited e in the integrity of the accused, that they never ny statement he made. The judge and clerk, on fore them some of the papers above alluded to, admit- hey had never known such persons. It seems that and the judge occupied the same room as an office; another room on the same floor, separated from theirs narrow passage. In all instances the agent drew up rations of the claimants, and after the applicants made heir declarations they were laid aside. The agent, at periods, would go into the clerk's room, with a bun- pers, and get them authenticated at his pleasure. nefully negligent conduct of the officers of the court is o the great confidence which they reposed in the in- the agent. But it appears to me that such indifferen- o the manner of discharging a high official trust, be- nt of proper qualifications for office, and is but little shensible than if they had been accessories in the ilt.

To prevent a repetition of such fraudulent practices, the appointment of officers in each state and territory for the purpose of examining in person all pensioners and applicants for pensions, I conceive to be indispensable. My experience, for the last sixteen years, has fully satisfied me that it is all important that the most rigid scrutiny should be exercised, not only in the investigation of claims, when originally presented here for adjudication, but in making payments after pensions are granted. As the officers or agents appointed to pay pensions cannot, in general, detect impositions, provided the vouchers are drawn up in conformity with the established regulations; the duty of inquiring into the identity of the pensioner should devolve on some person or persons who can have an opportunity of examining each pensioner in the neighborhood where he resides. Unless some mode be adopted, under the sanction of law, for such examination, I know of nothing that this department can cause to be done that can form an effectual barrier to the continuance of frauds. The additional expenditure, arising from the creation of such officers, should not, in my opinion, be considered an objection, as the amount saved by the services of such officers would not only far exceed, but probably double or quadruple, the amount of their salaries.

The time for making applications for pensions, on account of revolutionary service, should, I think, be limited by law. And it would be proper that the names of all pensioners, who fail to apply for their stipends for two years, should be stricken from the roll: but this cannot be done without an act of congress to authorise it.

The pension laws should, I think, be so amended as to prohibit, under a heavy penalty, any officer who may administer an oath to a pensioner, or an applicant for a pension, or who may authenticate the papers for such a person, from being in any way interested in the claim.

Believing that it is sound policy, as well as humanity, to give a preference to those laws which prevent crime, rather than those which tend only to the punishment of the criminal, and that what I have suggested will not have the effect to debar any just claimant of his rights, but, on the contrary, to cause a more favorable decision, I cannot doubt but that every true friend of the soldier will coincide with me in the views I have taken, and give to these propositions his cordial assent. I have the honor to be, very respectfully, your obedient servant,

J. L. EDWARDS, *commissioner of pensions.*

Hon. *Lewis Cass, secretary of war.*

d view of revolutionary pensioners under the act of 18th March, 1818, and invalid pensioners on the rolls of the differ- es and territories, the number on the pension rolls under the act of the 7th June, 1832, the number added subsequently 5th November, 1833, &c. &c. &c. taken from the several reports made to the war department, by the commissioner of s on the 7th November, 1834.

AND TERRITORIES.	*Revolutionary, act 18th of March, 1818.*	*Invalid pensioners.*	*No. of persons on the pension rolls under the act of June 7, 1832.*	*No. of pensioners under the act of June 7, 1832, added to the rolls since report of November 25, 1833.*	*No. of revolutionary and invalid pensioners added to the rolls since 15th Oct. 1833.*		*Abstract from pension agents' reports shewing the number of pensioners whose deaths have come to their knowledge since the last report.*		*Number of pensioners under the act June 7, 1832, reported by the agents as having died since Nov. 25, 1833.*	*Number pensioners who have relinquished their pensions under the act March 1832, and have been placed on the rolls under the act of June 1832.*
					Revolutionary.	*Invalid.*	*Revolutionary act March 18, 1818.*	*Invalids.*		
.....	826	170	1,338	174	.	16	21	1	99	9
npshire.....	641	176	1,423	94	.	7	25	8	43	4
usetts.....	1,260	337	2,951	261	.	4	53	5	120	13
cut.....	580	133	1,872	311	2	5	25	.	183	4
land.....	131	17	686	139	.	.	6	.	47	1
.....	820	176	1,715	264	.	6	22	1	17*	6
rk.....	2,465	987	5,949	1,138	5	23	92	21	199	14
sey.....	356	56	853	242	1	1	5	3	64	
ania.....	642	358	1,522	395	1	7	18	1	9*	
h agency.....	282	109	.	.	.	5	14	.		
e	13	17	7	4	.	.	2	.	1	
l	107	220	104	26	.	4	11	3	4	
.....	600	211	1,838	393	1	3	24	3	82	
rolina.....	229	65	1,290	287	.	.	9	.	70	
rolina.....	95	20	447	170	1	.	8	2	11	
.....	61	17	411	125	.	.	12	2	7	
y.....	420	182	1,738	481	.	15	23	4	74*	3
see.....	269	148	1,649	385	.	4	7	.	12	
.....	537	172	1,518	312	.	7	23	2	36*	
.....	110	88	551	183	.	3	12	2	32	
ia.....	8	34	17	7	.	3				
ppi.....	4	6	36	8	.	.	5			
s territory.....	20	47	39	24	.	4	1			
.....	25	43	228	80	.	6	4	1	7	
.....	35	33	268	80	.	.	.	.	2	
.....	13	62	149	54	.	4	3	3	1	
of Columbia.....	17	55	53	5						
s territory.....	.	1	17	12						
.....	.	.	9	6						
	10,566	3,940	27,978	5,660	11	127	425	62	1,120	54

Full returns not received.

STEAMBOATS, ANTHRACITE COAL.

From Poulson's American Daily Advertiser.

Extract of a letter from a gentleman in Philadelphia to his friend in Schuylkill county.

I wrote you sometime ago on the subject of a contemplated invention by the learned and indefatigable Dr. Nott, of New York. You doubted, and thought it hardly possible that anthracite coal could be employed in the generation of steam, and applied successfully to the propelling of steamboats. You have doubtless seen that *complete success* has attended the untiring labors of Dr. Nott, and that a steam ferry boat, the Essex, 126 feet long, of sixty horse power, is now plying between New York and Jersey City, at the rate of fourteen miles the hour. You will remark that this is a ferry boat, and made for burden, and therefore has nothing of the clipper built about her. You may *infer*, therefore, what the speed of a *real model* for running must be, when the same machinery, put in motion by the same agent, is employed—this you will know all about in the course of the coming summer. The steamboat called the Novelty will bring out this wonderful experiment in all its grandeur and usefulness.

My object at present is to give you some idea of the great reduction in *the cost* of running steamboats, which this invention will occasion.

The Essex above referred to, it has been tested, consumes in her *ferry* operations no more than two and a half tons of coal in twelve hours—and by putting her upon a trip of 12 hours, say to Albany, and at her speed, it is ascertained that no more than four tons of coal could be consumed by her within that period.

"The Essex is of sixty horse power—the largest North river boats are of two hundred horse power. The number of tons of coal for these boats of the largest class, would be, therefore, only *fifteen* tons for 12 hours. This would cost $75. These same boats consume for the same period, an average of thirty-five cords of wood. The average price for this at $5 per cord on board is $175. Here then is a saving in the article of fuel in favor of coal, in each trip from New York to Albany, of *one hundred dollars!* The saving, therefore, *for the season*, say eight months, at six trips a week, is *nineteen thousand two hundred dollars!!!*

I might stop here, but there is another reduction in the cost in favor of coal. The largest class of boats carry twelve firemen—these cost $20 a month, and ten say for board, each. This amounts to $360 per month—this for the season amounts to $2,880. Now four firemen are all that will be required for boats propelled by Dr. Nott's invention in the use of anthracite coal. These will cost per season $960, which leaves a gain in favor of coal of $1,920 for the season, which being added to the difference in cost between wood and coal, makes *twenty one thousand one hundred and twenty dollars, saved in each season!!!*

Here is an absolute fortune for a company saved, (which is the same as made) in every season. But this is not all. This extraordinary man has so contrived his boilers as to superadd the great desideratum of *personal security*. Should a bursting of a boiler happen, there will issue only a tea-pot of water, or a quantity so small as to endanger the life of no one. Then, again all danger from sparks, and from the ignition of the great bodies of wood, which steamboats now carry, (which latter cause doubtless fired the William Penn) is effectually done away.

I have but one more remark to make in this hasty scrawl—that is, we of this city have a fine opportunity of trying all this, by putting one of Dr. Nott's furnaces and boilers on board one of the tow boats about being built. The proof of it all can be had in a very short time; and I have no doubt, from the intelligence of those entrusted, as a committee, to build these boats, that this great invention will not be overlooked by them.

I always told you your coal regions were destined by Providence for greater ends than to furnish fuel for your parlors and chambers. Already has Dr. Nott made a demand upon them for culinary purposes, and now again for the transporting of millions over the world, with all they deal in.

Your friend, &c.

PASSPORTS.

The following notice, relative to the issuing of passports to citizens of the United States who design to visit foreign countries, has been isued from the department of state at Washington:

Department of state, April 4, 1835.

As citizens of the United States, going to foreign countries, may be subjected to inconvenience for the want of sufficient evidence of their national character, the secretary of state deems it proper to give notice, that passports will be granted by him, *gratis*, to such citizens, on his being satisfied that they are entitled to receive them.

To prevent delay in obtainining a passport, the application should be accompanied by such evidence as may show the applicant to be a citizen of the United States, where that fact is not already known to the department of state, and with a description of his person, embracing the following particulars, viz:

Age, — years; stature, — feet, — inches; forehead, —; eyes, —; nose, —; mouth, —; chin, —; hair, —; complexion, —; face, —.

Where the applicant is to be accompanied by his wife, children, or servants, or females under his protection, it will be sufficient to state the names and ages of such persons, and their relationship to the applicant; as one passport may serve for the whole.

Certificates of citizenship, or passports, granted by the different states and municipal authorities in the U. States, are not recognized by the officers of foreign governments; and, for the want of necessary official information as to those authorities, the ministers and consuls of the United States in foreign countries cannot authenticate such documents.

ELOQUENT EXTRACT.

The following eloquent passage is from a speech delivered recently, in the senate of the United States, by judge *Porter*, of Louisiana:

"There is no real freedom where men do not hold all their rights, personal and political, by a higher tenure than the arbitrary will of any man; still less where the enjoyment of the personal right is made to depend on the manner the political is exercised. You may hold up in your hand the written constitution of the country, and proudly exhibit it to the world as a proof of your superiority of knowledge in the theory of government; but it is all mere mockery and delusion, if its practical operation be to enable any one entrusted with its administration to expand or contract, for political effect, its protection and its benefits. The men of the revolution, who, at all hazards, and every sacrifice of life and treasure, established this glorious fabric, thought, or I have read their history to very little purpose, that they were fighting for the reverse of all this. It never entered into their imaginations that the political rights they were to transmit to their posterity were to be exercised under the risk of penalties; that rewards and punishment were to be any more the consequence of voting, than of breathing the free air of heaven. Sir, if, at the moment when the gallant ancestor* of my accomplished friend from South Carolina (Mr. Preston) was rallying and leading his backwoodsmen to the third and decisive charge at King's Mountain, his good genius had addressed him, and said, "Young man, for what are you combating? You imagine you are destroying arbitrary government. You are doing so, it it true; but flatter not yourself that the glowing visions of freedom, which now fill your imagination, will be realized. In less than half a century from this day, the result of your labors and your blood will be a state of things where one-half of the community shall be excluded from all participation in the honors and emoluments of government for opinion's sake; nay, more—where larger portions of men, whole states, shall be placed at the discretion of inferior officers, who will have it in their power to withhold from, or extend to them, one of the most important benefits which men expect to derive from entering into society. The truth of this prediction will be exemplified in the fate of your own descendants. Before three generations pass away, there will be one of them in the councils of his country, who will emulate your virtues, rival your patriotism, and illustrate your race by his eloquence; yet shall that man be deemed as incapable of filling any office of profit or honor under the national government, as if he were excluded by the constitution: nay, more—the state which sends him into the councils of his country, does so at the risk of offending those in power, and suffering from their resentment." Had all this been told to the distinguished individual in question, he would, I doubt not, in the moment of excitement, have disregarded the admonition. His strong patriotism and the early experience of the government, might have induced him to disregard it until the close of his life. But had he lived until now, how cruelly would he have seen all these sinister anticipations realized.

ELECTION OF PRINTER.

In the senate February 17.

A resolution to go into the election of a printer being before the senate—

Mr. *Benton* argued that the report of the committee of 1819, showed on its face, that the joint resolution then adopted was a temporary measure, adopted merely for one election. Yet,

*Colonel Campbell.

although this fact was apparent on the face of the resolution itself, it had been suffered to control all the subsequent practices of congress. Congress, in 1819, found it necessary to establish a tariff of prices, and a temporary provision was adopted because there was not time to mature a plan. The committee had reported a mode for the ensuing election of printer. It was only intended for the regulation of that single election, and, under this joint resolution, making provision for one election, we had gone on for fifteen years. [Mr. B. here read extracts from the joint resolution.] Four or five years ago another joint resolution was passed, for the purpose of altering the original one, so far as to require that the election of a printer should be made by a majority, instead of a plurality of the members. That was the only alteration. We had, therefore, been holding the elections of printer for fifteen years without any authority. During all that time we had been in the practice of electing an officer for the congress which was to sit here after we had gone. We had no right to appoint such an officer; and the officer so appointed, had no right to take upon himself the duties without the acquiescence of the congress for which he was elected. We had no right to make an election, and we had been going on under a tariff of prices which had been fixed for two years alone, without reference to whether the prices of printing had in the interval, been higher or lower than at the time of the adoption of the resolution.

The committee of 1819 had reported three distinct modes of executing the printing. The first mode was the same as had been practised under the joint resolution of 1815, by which the secretary of the senate, and the clerk of the house of representatives, had the work executed by a contract. The second mode reported on was by a national printing office, with a bindery and stationary attached, which should execute the work of congress during their sessions, and the work of all the executive departments during the recess. [Here Mr. B. read the estimates made by the committee of 1819, of the expenses of the government for printing, binding and stationary.] The committee were of the opinion that such a national establishment, under the management of a competent, active and upright man, would secure more promptitude, uniformity, a better style of work, and, in connection with the bindery and stationary would be the most economical. But the committee had refrained from submitting a proposition in conformity with the suggestion, on account of the novelty of it, of the late period of the session, and of the discussion to which it must inevitably lead. The third mode, and that which, under all the circumstances, the committee had recommended, was the joint resolution prescribing a tariff of prices for the printing, to continue in force for two years only.

He had read the joint resolution and report, for the purpose of reminding the senate of the course taken by the committee of 1819, and of the character of the resolution out of which had sprung the loose and illegal practice of electing a printer for the next congress, and the continuation of the tariff of prices fixed in 1819, notwithstanding any changes which might have taken place since that period.

After some remarks by Mr. *Preston*—

Mr. *Clay* rose and said, that he could not concur exactly with the senator from South Carolina, in all which had fallen from him in reference to the charge of extravagance of printing. It was possible that there had been some increase in the printing of congress; he was inclined to think that there had been an increase, and probably a considerable one within the last ten or twelve years. But it was the cause of the extravagance of printing, respecting which the senator from South Carolina had omitted some remarks which should have accompanied his statements. And what was this cause? The increase which had taken place was attributable to the abuses of the administration. That was the cause, and it ought not to surprise any one that the friends of the administration should get up and oppose any printing which was calculated to disseminate the knowledge of these abuses among the people. The less printing that was done, so much the better for them. Of the report last year, concerning the general post office, there had been printed by the senate 30,000 copies, but the honorable senator from New York, he feared, had suffered his *quota* of these reports to remain in his office. There had been printed 30,000 of these reports here, and 50,000 by the house of representatives. That was the cause of the great mass of printing; and the misfortune was that the increased printing could not keep up with the increased abuses.

As to the general post office, was it believed that if the committee could have penetrated into the recesses of the department, instead of merely penetrating the crust, the printing would not have been much more voluminous? The postmaster general refused to open the doors. He held the key, and the consequence was, that the committee could not get at more than half the truth. If they could have succeeded in ferreting out all the abuses of the administration, the printing would have been so considerable that the friends of the administration would have had more reason still to get up and talk of extravagance in more doleful strains. This, then, was the main cause of the printing being so considerable. Sometimes, it was true, that matters were ordered to be printed; but there were others where matters which ought to be printed were not printed.

He had no intention to go into a protracted discussion, but had thought it necessary to say thus much in reference to the cause of the printing. He renewed his motion to lay the resolution on the table.

ELECTION OF OFFICERS OF THE HOUSE.

Saturday, January 24, 1835. The following resolution, heretofore offered by Mr. *Reynolds*, came up in course:

"*Resolved*, That hereafter, in all elections made by the house of representatives (for officers), the votes shall be given *viva voce*, each member in his place, naming aloud the person for whom he votes."

With the following proviso, offered by Mr. *Hardin:*

"*Provided*, That elections ordered by joint resolutions of the senate and house of representatives, approved and signed by the president, shall be conducted in manner and form as are directed by said resolutions."

Mr. *Briggs* said, he would ask the indulgence of the house for a few minutes. He should confine his remarks to two questions which had been presented in the course of the discussion. The first question is, has this house the power, by its own resolution, to direct the mode of appointing its printer? As the printing is to be done by contract, it is admitted, if there is an existing law which prescribes the mode of choosing a printer, the house cannot change that mode. How is the fact? It is conceded that by the joint resolutions of 1819, passed by both branches of the legislature, and approved by the president, the choice must be by ballot. Has that part of those resolutions which provides that both houses shall choose by ballot, been repealed? Those resolutions, which are to be regarded as having the force of a law in all respects, go on, and minutely, to prescribe in what manner the printing of congress shall be done, and what price shall be paid for it. The last resolution provides that "as soon as the resolutions shall be approved by the president of the United States, each house shall proceed to *ballot* for a printer," and "the person having the greatest number of votes shall be considered duly elected."

It does not point out at what particular time future elections shall take place. The resolution of 1829, which it is contended repeals that clause of the former resolutions which directs the appointment to be made by ballot, provides "that *within thirty days before the adjournment* of every congress, each house shall proceed to *vote* for a printer," and that "the person having a *majority* of all the votes given, shall be considered duly elected;" and it further declares, that "so much of the resolutions of 1819 as is *altered* by this resolution, is hereby rescinded." Now, what part or parts of the resolutions of 1819 are rescinded? Clearly none, except that part which leaves the time of future elections unlimited, and that which declares that the person having the plurality of votes shall be considered elected. The gentleman from Pennsylvania (Mr. *Miller*), says, the mode of election is changed, because, the last resolution declares the two houses shall proceed to *vote*, and does not say *how* they shall vote. But the first resolutions do prescribe the mode of voting, and, as the last does not change that mode, it is but little less than absurd to say that the provision of the first resolutions is rescinded. The gentleman's rule of construction, if carried out, would prove quite too broad for his purpose. For if the mere omission to speak, changes or repeals the first resolutions, as the last resolution makes no provision for the price or style of printing, the whole thing is now open, and no law exists on the subject. And if this be so, we have no power over the matter, for as is truly remarked by the gentleman from Alabama, (Mr. *McKinley*), the house cannot make a contract of this kind unless authorised by law.

[Here Mr. *McKinley*, having asked and obtained leave to explain, remarked that the gentleman from Massachusetts had not, probably, observed that the resolutions of 1819 were, by their terms, temporary, and did not extend beyond the session when they were adopted; and if so, they could not affect the question under debate].

Mr. *Briggs* said, he did not admit that the terms of the resolutions of 1819 were temporary; but if they were so, the present argument was not affected by it, because, by the language of the last resolution, it was the clearly expressed will of the legislature, that all the provisions of the former resolutions, except so much as were altered by the last, should remain in force. The title of the last resolution, which is, "a resolution amendatory of the resolutions" of 1819, plainly shows this to have been its object.

Mr. Speaker, did the congress which passed the resolution of 1829 believe that by that resolution the *mode* of voting for printer was changed? If so, why did they not act in pursuance of that belief? But it is an undeniable fact, that both houses from that time to this have continued to vote by ballot. The gentleman from Illinois proposes by his resolution to change the rule of this house, which provides for the choice of its officers by ballot, so that hereafter they shall be elected by a *viva voce* vote. Suppose his resolution should provide that hereafter the house should proceed on a given day to vote for its officers, and that all of its present rules, which are altered by this resolution, should be repealed. Will any gentleman stand up in his place and say that such a resolution would change the *mode* of election? It seems to me, sir, that by every sound and established rule of construction, the choice of printer by ballot, as settled by the joint resolutions of 1819, are not affected, altered, or in any way changed by the resolution of 1829, and that this house have no power to interfere with that mode.

Mr. Speaker, before I resume my seat, I want to say a word upon another question, which has assumed a very grave importance in the course of this debate. It is said by gentlemen, that, by the principles of our constitution, and the doctrine of representative accountability, the representative ought to give an

open vote, in all elections that may take place upon this floor. These are new doctrines in this house. They are asserted with great confidence by the gentleman from Illinois and those who espouse his side. Yes, sir, after both houses of congress have, for more than forty years, elected their officers by ballot, the gentleman from Illinois has discovered that this practice is subversive of the great principles of the constitution, and dangerous to liberty. One would almost conclude, from the earnestness with which the gentleman urges an immediate change of the ballot for a *viva voce* vote, that our whole political fabric was about to be overthrown by this pernicious and wicked system of ballot voting. How amazingly stupid and obtuse must the wise men, who founded this constitution and for years administered the government under it, have been, not to have discovered this capital error. Sir, can any gentleman seriously believe that the sages who formed that instrument, ever contemplated that the choice of the officers of this house, from the speaker down to the assistant door keeper, would be a matter in which the constituents of those who come here would take an interest or wish to interfere. If we do their business well, if we guard their interests, and faithfully perform those services which they have sent us here to perform, they will not trouble themselves to inquire into the mode by which we choose the various officers necessary to regulate the internal affairs of this body.

The gentleman from Pennsylvania (Mr. *Miller*) asks, in a style equally chaste and emphatic, if the members of this house "wish to continue to *sneak* in their votes by ballot." Sir, by what rule of propriety does the gentleman use such language towards those with whom he associates here, in relation to their official acts upon this floor? Let those use such epithets who know how to appreciate them, and who can participate in the low and grovelling sentiments and conduct which they describe. I do not believe the gentleman from Pennsylvania is one of those, and hope therefore he will be cautious how he lets such terms escape him. Does the gentleman remember that he holds his seat on this floor by the votes of the freemen of his district, cast in the same manner? Will he reproach those freemen of Pennsylvania who sent him here, with having *sneaked* in their votes for him by ballot? This is a matter, however, between him and them. I will not trouble myself, therefore, to inquire how they would relish such a compliment.

Mr. Speaker, the ballot principle is, and has been, from the earliest period of their history, considered of the highest importance by the people of the state which I, in part, represent. They believe that in its practical operation it gives a more fair and unbiassed expression of the public will, in the exercise of the elective franchise, than would or could be given in any other mode. It places the timid, the embarrassed, and the weak, upon the same level with the rash, the wealthy, and the powerful. So inviolable and sacred do the people of Massachusetts regard this principle, that they visit with a severe penalty any public officer, presiding at an election, who shall, from curiosity or any other motive, attempt to scrutinize the vote which any freeman may choose to carry to the poll. The same great principle and practice pervade the institutions of all the New England states. They regard the ballot box as the palladium of their political rights. I know that our brethren in many of the states of this union, especially in the southern portion of it, differ from us on this subject. In theory and in practice they maintain the *viva voce* mode of voting. They sustain their views by ingenious argument, and by strong and plausible reasoning. But, in my opinion, their reasons are not strong enough to master and control the more weighty and powerful considerations in favor of the ballot system. But gentlemen tell us there is a difference between the case of a citizen voting in his individual capacity and that of a representative voting by virtue of a delegated power. It is not denied that the cases are different, but it by no means follows, as gentlemen would seem to infer, as a matter of course, that, if the ballot principle is right in the one case it is wrong in the other. It is asserted that the *viva voce* vote is the only true constitutional mode of election here, with all the distinctness and confidence that it would be if that instrument actually prescribed this mode of voting. From the ardent and impassioned manner which the gentleman from Illinois—I beg the gentleman's pardon, for he told us, no doubt in the honesty of his heart, that he had no idea of producing any excitement on this subject—I should have said from the cool and deliberate manner by which the gentleman supported what he avows to be a constitutional principle—a stranger to our constitution would be led to believe that *viva voce, viva voce,* was written upon every page and every section of that instrument.

I will pause for the gentleman to point out the place in the constitution where those words are found, or to inform the house in what section or article he relies to sustain his asserted principle. Is the gentleman aware that that instrument contains any provision prescribing the manner that the members of this house shall vote on any election that may take place here? If so, will he be good enough to name it. He does not choose to respond. Let me say to the gentleman, then, that the first section of the second article of the constitution does prescribe, in the most clear and express terms, the manner that the representative shall vote upon a question more interesting not only to those whom he may immediately represent, but also more deeply interesting to the people of the whole country than any other—I had almost said than every other—that may be presented for his consideration and action—the election of president and vice president of the United States. This is a case in which the representative acts for, and in the place of, his constituents in the choice of their rulers. He is to decide whether the candidate whom their partiality would promote, or another, shall be elevated to the highest office on earth. Political interests of the greatest possible magnitude, liberty itself, may depend on a single vote. The sages who framed the constitution were not insensible to the gravity and importance of this official duty. It was their object to place the representative where he could, in a fearless and independent manner, discharge the high trust reposed in him by those who should honor him with their confidence. They sought to guard and shield him from all the improper and corrupting influences with which he might be surrounded. To accomplish this object, the section I have named provides that "the president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed," and if no person have a majority of the electoral votes, then the house of representatives shall immediately choose "*by ballot*" the president. In like manner, if the vice president shall not be chosen by a majority of the electoral votes, the senate shall choose from the candidates "*by ballot*" the vice president. But, sir, the constitution carries this principle beyond the walls of this house. The same section of the constitution provides that the electors of president and vice president, who we know are elected by the people of the several states for the specific and single purpose of voting for these officers, shall meet in their respective states and vote "*by ballot.*" This house will judge how far these provisions go to support the declaration so often repeated in the course of this debate, that the principles of the constitution require that all elections which may take place in congress, should be by a *viva voce* vote. If the doctrine so urgently contended for on the other side, ought to prevail in any case, it would seem that a case where the representative is called upon to give a vote at an election, in the result of which his constituents and the country are deeply concerned, would be in point. But in precisely such a case, our constitution has established the opposite principle. This principle has been followed out by the practice of half a century, both in its application to the choice of president and vice president, and by its adoption by both houses of congress in all elections for the choice of their own officers. No complaints have come up here from the people—no memorials have been sent by them demanding a change. Through all the political excitements which from time to time have agitated this republic, no party, and no individual of a party, has ever dreamed of making the subject which we are now discussing, a theme of party or political controversy. After this long acquiescence in a practice coeval with the constitution itself—sanctioned by its provisions, and approved by those who formed it—to the patriotic gentleman, coming from the distant Illinois, is reserved the glory of discovering that this venerable practice is in violation of the great principles of the constitution and dangerous to liberty. I would not withhold a title of the honor which belongs to him for the discovery and the annunciation of this new constitutional doctrine. But not being satisfied of its soundness by the arguments brought to its support, I cannot go for it. I prefer to abide by the established mode of conducting elections in this house. This mode, as I have already said, has the benefit of a long and approved experience. It comes to us recommended and sanctioned by men in whose company I shall always be proud to be found. No mischiefs or inconveniences are shown to have resulted from it. It excludes, so far as any regulations can exclude, an influence from this hall, which ought never to enter here. The proposed change would, in my opinion, open a broad and easy avenue for the introduction of that influence. Why should we be eager to rush into experiments when no evils are shown to have resulted from the existing state of things? Are we to shut our eyes upon the lessons of experience, and refuse instruction from those who have preceded us? Shall neither the wisdom of our sages, nor years of successful trial, nor both combined, ever settle any question in the affairs of this government? Mr. Speaker, I believe the resolution before you is intended by others, if not by the mover, to extend to the appointment of a printer to this house, as well as to the choice of its officers. I am clear that while the joint resolutions of 1819 remain in force, this house cannot change the mode of appointment prescribed by them. I am not convinced that any principle of the constitution requires the introduction of the *viva voce* vote into elections which take place here. On the contrary, I have shown that the constitution has, in a most important case, established the ballot principle, thus negativing any general argument which might otherwise have been deduced from the relation of representative and constituent. I can, in no point of view, vote for the resolution.

[When Mr. B. concluded, the house adjourned].

Monday, January 26. The same subject being resumed—

Mr. *Peyton*, of Tennessee, rose and addressed the house as follows:

Mr. Speaker: I am partial to viva voce voting, and especially to viva voce acting. This partiality, and my great anxiety to avoid encroaching upon the constitutional powers of the next congress, induced me to vote in favor of laying the resolution offered by the honorable gentleman from Illinois on the table, that I might offer what I am compelled to submit as an amendment, without any incumbrance whatever. What I am about

to propose, will secure a viva voce vote in *all elections*, and assert the right of each congress to elect its printer. I have never seen the time or place when I was the least embarrassed in declaring for whom I intended to vote, and I hope I never shall be so enslaved in spirit, so lost to that independence which is native in the bosoms of my constituents, as to crouch, and hide—*do one thing and say another*. And, sir, I must be permitted to defend the citizens of my native state, from those imputations which have been cast upon all who vote by ballot in their elections. Tennessee has voted in that manner in the election of all her officers for nearly forty years; and she has not lost her liberty, her gallantry or independence. And if gentlemen think so, they are much mistaken. No sir, such things depend upon the tone of sentiment amongst men, more than the mere mode of expressing that sentiment. The man who would represent the character and feelings of her people, must be frank, candid, and independent, must be a plain case—no hiding, nor dodging. If you ever see a gentleman at this—who can't be found—you may feel, but cannot see him—who leaves no sign—can't tell which end of the road he has gone—if you catch him out in a snow, get on his track and are confident you have him; but when you come to find out he has turned the heels of his shoes before, and you are on the back track. Such a man is no Tennessean.

But while I vindicate the character of Tennessee from those suspicions which have been thrown upon her on account of the mode of electing public officers, ingrafted upon that constitution which Andrew Jackson aided in forming, and retained by her recent convention after thirty-eight years experience, I am willing that all elections by congress shall be viva voce. I like to hear gentlemen speak out boldly on this floor, as well as elsewhere; for of all things, I have the least taste for hypocrisy or double dealing.

But, sir, I am equally anxious to secure another object, which must be dear to my honorable colleagues who agree in political sentiment with me, and my friends from Alabama, N. York and elsewhere, and that is the right of each congress to elect its own printer. I know we all agreed in our constitutional views on this subject last winter. It was a question which produced much excitement in my district, and in the state generally. I gave my views, as I am now about to express them, and pledged myself to my constituents, if no one else did, to offer a resolution embracing substantially what I now offer on the subject of printer, and to move to go into the election at the commencement of the last session. I did not do so, and this requires an explanation to my constituents. My apology is to be found in the fact that after I had my resolutions prepared, and was on the eve of presenting them, I was *requested* to permit an *older* and *much abler* member of this body, my friend from Alabama, (Mr. *McKinley*), who addressed the house on Saturday, to offer the resolutions. To this I assented with great pleasure, but he was thwarted by the introduction of Mr. *McDuffie's* resolution on the deposite question, which was debated the greater part of the session. I am proud of an opportunity of redeeming my pledge to my constituents, and at the same time enabling my honorable friends to act out their principles, and aid me in reclaiming, for each congress, the exercise of its inherent and constitutional rights. I have adopted the only mode by which this can be effected, and at the same time secure a viva voce vote. I have no petty purpose to subserve. We were for it at the last session upon principle, and cannot be against it at this. Our party is overwhelming in strength; it is committed on this question. We have said that the constitution has been violated by an expiring session of congress electing a printer for a new congress; and let us not bring upon ourselves the reproach of inconsistency, but nobly step forward to the rescue of the constitution. Able, unanswerable arguments have been made on this question in the other end of the capitol, by a great statesman and true democrat, which, I am sure, will have due weight with all, and with none more than my friends from New York.

I allude, sir, to the powerful argument made by the honorable Thomas H. Benton, in the senate, on the 19th, and published in the Globe of the 23d February, 1833, on the motion to go into the election of public printer. He had, on the 13th of the same month, introduced a resolution, the substance of which I have embraced in my amendment. It was a *joint resolution* of both houses—so is mine. It changed the time of election of printer from the end of the expiring congress to the first week of the new congress; so does mine. Here Mr. Benton's resolution stopped; mine goes further, and declares, that the election of printer, and all other elections, shall be *viva voce*. And this is the only material difference between them. I confess, that I should have been somewhat at a loss, as to the powers of this house, in repealing, or in any measure, changing, a joint resolution of both houses, which has received the sanction of the president, but for the light which that able and indefatigable senator has shed upon this subject. I had looked upon the resolution of 1819 as unconstitutional and void; so did he: and he appears to have been prepared to sustain that proposition, whenever it should be presented. But when the question arose, whether the senate could recognize its validity as a joint resolution, and, at the same time, change any one of its features by a single resolution, he promptly decided that it could not. This, sir, was, with me, an unanswerable objection to voting for the resolution of the gentleman from Illinois.

It is a single resolution, which will change the mode of electing a printer from a vote by ballot to *viva voce*, under a *joint* resolution, and change it in nothing else—thus recognising its validity in every word and syllable, except as to the mode of making the election. It cannot be done. We have a precedent, directly in point: I quote from Mr. Benton's speech before alluded to. Mr. Benton said:

"His present object was to prevent an election at this session; and for this he had a good precedent, originating in the senate itself, precisely in point, in every particular. He referred to the election of a public printer towards the close of Mr. Adams's administration, when Mr. Green was elected over Gales & Seaton. The election came on; several ballotings took place; Mr. Green had a plurality of votes, not a majority of the whole. The *joint* resolution under which the senate balloted (the resolution of 1819) expressly declared, that a plurality should be sufficient; but the majority, on the eve of proceeding to the ballot, had passed a *single* resolution, to control the *joint* resolution, declaring that a majority of the whole should be necessary to a choice. The supporters of Mr. Green claimed the election; but the majority adhered to their *single* resolution, against the terms of the *joint* resolution, and refused to permit the election of Mr. Green to be declared. He, Mr. B. then moved that the ballotings should be discontinued. They were discontinued accordingly. No election of printer was declared. The session terminated without any further proceedings on the subject. At the commencement of the next session, a resolution was brought in, declaring that Mr. Green had been duly elected at the preceding session. He, Mr. B. voted for the resolution."

It passed. Can there be a stronger, clearer case in point? Here the senate went into the election under the joint resolution of 1819, but passed a single resolution, altering it so far only as the number of votes necessary to constitute an election was concerned. That single resolution was declared to be a nullity by the senate at its next session, on the ground that a joint resolution could not be altered or changed by a single resolution. And the senate and house of representatives, in 1829, did, by a joint resolution of both houses, make the alteration which had been attempted to be made the preceding session by the senate alone, and declared that a majority of the whole number of votes given should be necessary to a choice in the election of printer, but leaving the resolution of 1819 unchanged in every other particular. Now, sir, have not the senate and house of representatives each acted on this question, of altering the resolution of 1829 by a single resolution, and decided that it cannot be done? I think so, most clearly. I would have no hesitation in saying that the whole resolution could be set aside by any new congress which might choose to elect its own printer, but I deny that an expiring congress, which has made all its elections, can by a single resolution alter a joint resolution in part, the validity of which resolution is recognized as constitutional. I ask gentlemen to deal candidly, and say whether their object is not to go into the election of printer at this session? If not, what other election is coming on at this session. And, sir, I should like to know whether the next congress will not be as well qualified to judge *for itself* of the *mode* of electing *its* officers as this congress is? What right have we to say to our successors, you are a "*slippery, sneaking*" set of fellows! We have a high regard for your constituents, but no confidence in you, and have therefore said that you shall vote viva voce in the election of your officers. It is true that we elected all our officers by ballot—there is no complaint—the house is satisfied—the country is well pleased—not a word of discontent, save an occasional groan of disappointment, coming not from the house or country. Sir, it appears to me to be stepping over the line of our duty, to undertake to dictate to the next congress with regard to the *mode* or the *election* of printer.

The constitution secures to *each* house the power to determine the rules of *its* proceedings; but not to prescribe rules to govern the proceedings of the next congress.

But, sir, as it will stand in the light of a mere recommendation to the next congress, I am willing to accommodate gentlemen in their fondness for viva voce voting, with a hope of conciliating their support on the main question—that of securing to each congress the right to elect its own printer. And, sir, I am the more inclined to this, as it is said that it will *certainly* secure *perfect independence* in voting; whereas, now it is complained that the oldest *drill sergeants* may take out a raw recruit and drill him for hours, and when he comes to vote, he will not feel those noble lofty sentiments of *independence* which will prompt him to give the *sergeant's* vote, but will *sneakingly* give his own. This is monstrous, and ought to be *corrected*. For, if it is not, the noble science of drilling will be stripped of half its charms, and wild, rude militia men will be constantly consulting *their judgments* and their *consciences* in great national questions, involving the liberty, happiness and constitutional safety of the country. All of which, it is thought, may be *corrected* by a combination of the two operations of the *sergeant* on drill, to teach him what is right with the *nippers*, to pinch the word from him at the right time afterwards. This is so *perfect* a system of *independence*, that all men must be delighted at the dawn of that bold and glorious republican sun which is about to shed a flood of light upon our hitherto dark and benighted hall of legislation.

But, sir, to the main question—that of postponing the election of printer until the next session of congress. I beg leave again to refer the house to the able and lucid argument of Mr. Benton on this subject. He said "his object was to vindicate the right of the new congress to choose its own officers. That

right belonged to it. It belonged to it, both inherently and by the constitution. It would have required a constitutional provision to take it away, not to secure it; yet, in two places, the constitution of the United States guaranties this right: once, in speaking of the house of representatives, which is to elect its own speaker, and other officers; and again, where the senate is secured in the right of electing its president pro tem. and other officers. Mr. B. then alluded to the early practice of congress, which had been conformable to the constitution, and proceeded to state, that in 1819, a joint resolution of the two houses was adopted, creating the *office of public printer*, and providing for the election of that officer. He said, for the first thirty years of the action of this government, there was no public printer; while congress sat at places where it could supply itself, each new congress was its own purveyor. When it came to a place where supplies could not be obtained, except upon time and notice, the expiring congress kindly and providentially took upon itself the business of procuring supplies. This assumption on the part of the expiring congress, was gratuitous and unauthorised. The new congress, not yet born, could not have created an agent to do this business. The fact of vital importance, whether the new congress was to have a friend or an enemy for its printer, might depend upon the time when he was elected, and thus it became necessary for the new congress to stand upon its inherent and constitutional right to reclaim the election for itself, and if not successful in the reclamation, to exercise its indisputable power of rejecting the printer that was *imposed* upon it. Mr. B. remarked *that* was what he had done, and was doing—he complained that his resolution had been referred to a committee which had not reported upon it—said that he could have shown that all the reasons which induced the expiring congress to provide a printer for the new congress, had ceased; that the District now abounded with printing materials; that a printer chosen the first week of the session would be ready as soon as necessary to do the work that would be required of him; that the printer was *an officer*, and *an important* officer of the two houses: that he was a *confidential officer*, having their secret proceedings in his hand, and almost their masters, from the power which the public printer, in his character of editor, had over the publication of the proceedings of congress, in suppressing, mutilating, and disfiguring the speeches, and occasional remarks of some members, while bringing out all that is said by others to the best possible advantage.

These views are sound. They are hailed by myself, and many gentlemen who I see around me, as containing the true doctrine of our party, which had watched with so much jealousy all encroachments upon the constitution. It has been our pride and boast, that the venerable and patriotic man now filling the executive chair of the nation, was the shield of the constitution. And shall we forget all this? Shall we say that right reason, and sound constitutional doctrine is one thing in the senate, and another in the house of representatives? That our constitutional opinions change with the seasons? No, sir. Let us not bring reproach upon our party and its head, but rather elevate both in the world's estimation, by rescuing the constitution, instead of inflicting upon it another blow. Mr. Benton is correct. This house has the inherent as well as the constitutional right to elect its printer. The constitution says, "each house shall keep a journal of its proceedings." To do this, it must have the power to elect a clerk. "And from time to time *publish* the same." How publish? Does not this important duty imply the power of providing the means to perform it? How can the laws and proceedings of this house be published without a printer? The power to elect the printer is conferred in the obligation to publish. Again, the constitution confers upon *each* house the power to determine the rules of its own proceedings, secures to the house of representatives the right to choose its speaker and other officers, and to the senate, the right to choose all its officers.

Now, sir, I care not whether you consider your printer an officer of the house, or put him upon the footing of stationary, or fuel, or any other supply, the principle is the same. These are my reasons for the vote which I gave, and mean to give, on this question. I have carefully avoided all remarks which might give offence. My object has been to conciliate support for a measure in which my district and my state take a deep interest. If the election of printer is forced on at this session, I have discharged my obligations to my constituents—I have redeemed a pledge too long, but unavoidably, delayed. And, sir, if I am compelled to vote for that officer at this session, I will vote for that *uniform, firm*, and *consistent* Jackson man who I think best qualified, if there should be more than one of our party running—though it would be a pity for two to run, as it would look like splitting the party. But which of them would be obnoxious to this charge, could not be determined until after the election, and then it would justly fall on the meddling fellow who was beaten, and he should be forthwith handed over to a sergeant and drilled into submission, and directed to turn his attention to history—*biographical history*.

Mr. Speaker, is it in order to move a commitment of the resolution and amendment to a committee with instructions to report. I move, sir, that the resolution and amendment be committed to the committee on the judiciary, with instructions to report the following resolve:

Resolved, &c. That the election of printer to each house of congress shall hereafter take place within the first week of the first session of each congress, and that all elections by the two houses shall hereafter be decided by a *viva voce* vote.

[Here Messrs. *Pope* and *Vanderpool* made some remarks.]

Mr. *Pearce*, of Rhode Island, said he would be willing to adopt the views of the gentleman from Illinois, (Mr. *Reynolds*) who proposed this resolution, so far as to say, that, hereafter, the officers of the house should be elected *viva voce* whenever a majority of that house, by express declaration, should require it. Thus far he would be willing to go, but no farther. This was not a new question in the house. He well remembered, that about six years ago, an honorable member from Kentucky made a similar proposition. Mr. P. said he then thought it unfortunate for the proposal, as it was now, that it was offered for consideration, after the long session of congress was passed, and we had come nearly to the close of the short session, and was just about going into the election of the public printer. It had been contended, that some great and fundamental principles were involved in this question. If so, why was it now agitated by those gentlemen for the first time? Where had they been all this time, that this subject, of such vital interest, had been suffered to rest in *statu quo*? Why have they been thus long forgetful of those great principles? Mr. P. said it was useless to disguise the matter. We had better speak of things as they are. It was designed to apply, and did apply to the election of printer, and to nothing else. On that question Mr. P. was willing to give his vote *viva voce*. He was willing to, and would now declare for whom he should vote to fill that station. It would be for the candidate who had consistently and faithfully adhered to and supported the administration. It would be for him to whom he believed it of right belonged. In short, he should vote for Mr. Blair, if that gentleman was a candidate before the house. But he could not consent to alter or abolish what he believed to be a most salutary rule as applied to all the other officers of the house. The speaker, clerk, chaplain, the door keeper and his assistants, even the very boys in waiting, if the house thought proper, might be chosen by ballot.

Mr. P. said he understood that the legislature of Illinois, the state from which the honorable member, (Mr. *Reynolds*), who introduced the resolution came, elected their officers *viva voce*. It might be so in some other instances; but more than two-thirds of the states conducted their elections by ballot; and he apprehended if the question were taken by states on that floor, there would be found a large majority opposed to a change of the rule. In his own state, the vote by ballot prevailed in all excepting one vote, which might be considered a *quasi* ballot. He could not, therefore, directly or indirectly, sanction by his vote a course which he deemed improper, nor did he wish to see a future congress influenced by any act of the present. If the gentleman from N. Y. (Mr. *Vanderpool*), was so much attached to the democratical principles of the vote *viva voce*, why did not he, while a member of the legislature of that state, endeavor to secure its blessings to his constituents? Why not have the elections in New York, *viva voce*, like those of Virginia and Kentucky? What, he asked, would have become of the late election in the city of New York had it been conducted *viva voce*? How would the democratic party have stood against the wealth and power of the whigs? The very votes of the democratic party would have lost the voters their employment and their bread. They were compelled to wear secret badges on their coats and hats by which to distinguish each other. Gentlemen may say this state of things ought not to exist. But, as they do exist, we must meet the exigency. It was right sometimes to do good by stealth, covertly and secretly. The state of things fully authorised it. Mr. P. said, if the vote *viva voce* was to be adopted here, a very different complexion of affairs would soon be exhibited. He was undisguisedly opposed to this system of special legislation. He was indeed opposed to the adoption of any rule for the government of those over whom we could have no control. For his own part he had never given a vote here he was unwilling to avow. But, it had been said the people had a right to know the votes of their representatives. Now, he had never discovered that the people had ever evinced any great curiosity on the subject.

The present system had prevailed for forty years, and the people had manifested no special anxiety for its change. When they did so it would be time enough to act in the matter. The gentleman from New York went on the ground that the course hitherto pursued had been erroneous. If such were the fact, he had only to repeat the inquiry which he had before made—why had they thus long slept upon their oars? Why did they not earlier seek a correction of the evil?

Mr. P. here alluded to the circumstances attending the first election of gen. Green as printer to the house, and said, perhaps he ought to apologise for the frank manner in which he had avowed his intention of supporting a particular candidate at the next election on party grounds. In the city of New York this principle had been carried to its utmost extent, embracing its street commissioners, and, he believed its chimney sweeps. Nay, the leading daily papers openly called upon their adherents to support none but *whig butchers, whig bakers* and *whig every thing*. If this principle was so universally recognised elsewhere, why should it not be here? The Globe was the accredited organ of the government and of the democratic party, and as such should be sustained by it. In the city of Philadelphia the principle was extended to the watchmen; and in his own town of Providence, to the constables and the town crier—none were allowed to cry but a whig. He was, therefore, for Mr. Blair, against any judge White man, any John McLean man or any Daniel Webster man.

Mr. P. repeated, that he was opposed to this special legislation. If the rule should be adopted, what would be its effect on the election for speaker in the next congress? It was not always the most prominent candidate on the first ballot who was finally elected. Such was the case with the honorable gentleman now in the chair; and when the honorable P. P. Barbour was elected, he received but fourteen votes on the first ballot. It was true, he did not believe any man who voted for the present speaker, was unwilling to avow it; but it was the evils which we hazard by the change which he contemplated. Mr. P. said their constituents had not instructed them on this subject, nor did he believe they called for any action upon it. The constitution provided that "the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present, be entered on the journal." This, he thought, was quite sufficient to secure ample publicity on all votes specially interesting to the people. It was all they desired, and as far as he was willing to go. He would support the proposition if so amended as to say that, on the call of a majority, the vote should be taken *viva voce*. But he did not deem it necessary to compel members to hold up their hands on all occasions, to prevent them from looking one way, and rowing another; nor would he presume fraud in them until there was some evidence of its existence.

[Here Mr. *Gillet* spoke.]

Mr. *Clayton*, of Geo. said that when the mind was bent upon a purpose, and seemed to defy all the combined energies of reason and argument, a simple reference to some striking event has sometimes arrested its waywardness and brought it to a reflection favorable to the influence of truth. He hoped the house would indulge him in an experiment of the kind. The question before us may result as did the case which is so well illustrated by a certain celebrated *epitaph*, known doubtless to all, and which, when it is mentioned, will fully explain the object in view, as well as the story of the unfortunate victim of which it was a memorial; it is this—

"I was well, wanted to be better,
"Took physic, and here I am."

Now, sir, this house has, for forty-five years, in the election of its officers, used no other mode of choice than that by *ballot*. The house has never, in a single case, met with a solitary difficulty. Its business has been well done; it has been attended with the utmost harmony and peace; the people have never complained. Why then attempt to better that which has proved to be as good as could be desired? Why give up a certainty for an uncertainty? Why risk a reality for an experiment, to obtain precisely that which you already possess?

Mr. Speaker, (said Mr. C.) the gentleman last up but one, (Mr. *Pearce*, of Rhode Island), arrived at the same conclusion to which I am driving, but certainly by a different route. If the gentleman had dropped his pledges and stuck more to his prophecies, he would have been, if not more loyal, at least more correct; and, Mr. C. said, although he had no pledge to make, he too, would make a prophecy, and he called upon the house to recollect it—he hoped every member present who would be here the next session of congress would well remember it—he was extremely anxious, as it was the first he had ever made, and this was the last session in which he should ever appear, to have it borne in mind: as soon as this resolution has answered one single, separate and exclusive purpose, it will be repealed, and there will be men, now voting for it with a great deal of seeming love of bold and open courage, who will, at the next session, vote to dispense with it! Now mark this prediction!

What is this object? Does any man pretend that he does not see it? It is true it is not avowed, but who wants an avowal when circumstances, and the plainest dictates of common sense, lead him as directly to the purpose as if it stood confessed. One session of the present congress, and a very long one, is over, there are but five weeks of the present to come; all the officers of the house have already been chosen by ballot; there is but one more to elect; he is the public printer; and upon him the whole hopes of a party depend. The signs of the times show there is danger, which it is thought nothing but a certain great influence can avert. And above all, this resolution can only control the present congress, it being utterly ridiculous to suppose it can bind the next. Now, who wants to be told what all this means? For what purpose affecting any great general interest, is this change required? Does any one believe that the existence of this mighty principle of democracy, as it is called, for the space of five weeks, is going to produce the wonderful consequences predicted of it? And who believes it will last any longer? Mr. C. said he could not speak in tropes and figures as did the gentleman from New York, (Mr. *Vanderpoel*), when he "shook the hoary locks of antiquity" at the house, but he could give them a little poetry, which would answer fully as well—

Princes and kings may flourish or may fade,
A *breath* can make them as a *breath* has made.

Depend upon it this resolution is the mere creature of a breath, and when it has wrought its mischief a breath will destroy it.

Sir, the same gentleman made a quotation from scripture, and it immediately reminded him of another which he would give to the house, first, however, premising that it should not be done irreverently. Such was the profound respect he felt for its sacred precepts, he believed it was improper to use them, unless seriously to illustrate some useful principle, or enforce some great truth. Under this view, he should employ the passage promised. This house has but one master, and I do not mention the fact in a popularity seeking cant, for such I cordially despise, and that master is the people. If the object sought by that resolution does not affect them, is wholly disregarded by them, and is altogether temporary, then in looking for a motive for such proceeding, it must be to serve some other master, who has the means to reward such an act of obedience, perhaps contrary to the interest of our first master. If so, we are told "we cannot serve two masters; we cannot serve God and mammon both; wherever our treasure is, there also will be our hearts." And, sir, we have had woful experience of this. The appointment of some forty or fifty members of congress, within the last six years, to high and lucrative offices, ought to remind gentlemen that the facilities for this contraband commerce against the rights of the people ought not to be increased. These favorites have arrived safe in port, and are at rest; and, though laden with a rich cargo, they are nevertheless a good deal weather-beaten.

Sir, said Mr. C. there is a view of this question which seems to me so plain, that it is almost impossible to misunderstand it. Let me ask the house to consider what is the natural organization of any and every deliberative body? What are its objects? For what purpose constructed? The answer to these questions will lead to the clear distinction between its preparation to act, which concerns itself, and the acts themselves which are to operate upon others. By way of illustration, suppose for a moment that this body had assembled for the first time to carry into effect the powers conferred upon it by the constitution, and which are intended to promote the great interests of the confederated states. In order to become an efficient organ for the purpose, some system is necessary; and the first impulse, like that which occurs every day in public meetings, would be to nominate and call to the chair, a president, or, more properly speaking, a chairman, and one of our own body as clerk. So far, no one can possibly imagine, that this first organic step involved any of the great principles of suffrage, about which the people could feel the slightest concern, and yet here are two of the most necessary officers created preparatory to the execution of the work in hand. It is found, however, in the progress of the business, that the magnitude of our duties, and the great diversity of interests to be attended to, require that a number of additional officers should be appointed. They, too, are chosen as the first; and now the body are ready to execute the powers confided to them in the constitution. Here is a formation brought about for a given object, in a manner which it must be admitted, could not, in the remotest degree, affect the objects which had brought the assembly together; and therefore would not excite the hopes or fears of those upon which the acts of this assembly were designed to operate. If, then, this organization is made free from any violation of the people's rights, how can any future one, framed precisely upon the same footing, produce a contrary result? And if this mode of appointing officers, by mere nomination or resolution, assails no vital principle of suffrage, how can that by ballot do it? But, sir, in the further operations of this body, it turns out that, to make it a complete instrument, well ordered in all its parts, to effect the powers contained in the constitution, it is necessary that it should have a speaker, a clerk, (not of its own body), a sergeant-at-arms, a door keeper, a deputy door keeper, pages, librarian, assistant clerks, messengers, &c. *These* perfect the organ for the work laid out to be done. Now it would seem, if it be true the people are deeply concerned to know how their representatives vote for these officers, that concern will apply just as much to one officer as another, to the lowest as well as the highest. Imagine, then, this great *viva voce* principle, this principle that is to do so much for the liberties of the people, that is so dear to democracy, and all that, is to be employed in the appointment of these officers, where would you stop? Would you say, after the speaker and clerk were elected, it would be unnecessary to carry it any farther? And why? Would not the people wish to know how your door-keeper acted, as well as your clerk? How your water bearers supplied you, as well as how your clerk read your bills and mended your pens? If you stopped the great *viva voce* principle, this great conservative of liberty, at the clerk, then, you make it to depend not so much upon its intrinsic virtue, but upon the character, degree, and amount of service to be performed by the officer on which it is to operate! Can any thing be more unreasonable? The people, then, would not feel any interest in your arrangements to commence, with effect, the objects of your mission; but, Mr. C. said, he would tell the house when their concern would begin: so soon as you commenced to carry into effect the powers of the constitution; so soon as you begin to send out the measures intended to act upon their great interests; then they would want to know, and ought to know, how you voted, that they might settle with you for good or for evil. Whenever your rule of action related to the control of their rights, it would become a matter of jealous and watchful solicitude; but when your rule of action referred to the mere provision of a suitable instrumentality by which you were to work, it could not be a consideration of the least possible moment.

Mr. C. said he would make an assertion which he called upon members to contradict if it be untrue—for the fact was within their knowledge, and therefore susceptible of contradiction. Out of the twenty-four states in the union, at least eighteen, and indeed he believed more, used the ballot in their elections.

What did this argue? If at the fountain head, the source of all power, the people, and God knows they are often enough told of their omnipotence, you find the *ballot* is the favorite mode of designating their choice, what right have we to expect that they desire of us what they do not practice themselves?

Sir, admitting for a moment that the *viva voce* principle is correct—and as for himself, Mr. C. said, it was perfectly immaterial what mode was adopted, for he would as leave the rule should be, that each member should march up to the polls with an open ticket wafered upon his forehead as any other way; but if a correct rule is about to be inverted, and used for an improper object, *that* is reason sufficient to oppose it. If the Bible itself were perverted to a wicked purpose he should reject it, at least so far as that purpose was concerned. While the gentleman from New York was complimenting the independence and decided character of western members, it would have been well for him, because equally true, if he had come round by the south, and paid the same tribute to southern openness. When, with but a few dishonorable exceptions, have southern members ever shrunk from any question?

The arguments used by both of the gentlemen from New York are extremely fallacious, and the examination of a few of them, by way of example, will eminently support this assertion. For instance, the first gentleman stated, by way of shewing that the election of printer was not the exclusive object of the resolution, that you, Mr. Speaker, had not a lease of your life, that you were not immortal, and that in five weeks we might have to elect a speaker. In passing, if this is the only expectation of getting your seat from you, it is to be hoped it will not be shortly realized. Now, sir, the right way to test the strength of an argument is to make whatever *is* to be proved by it, depend alone on that argument. Suppose a resolution had been introduced containing a preamble, that, whereas the speaker has not a lease of his life, is not immortal, and may die before the end of the session, therefore, resolved, that his successor shall be chosen *viva voce;* does any man believe such a resolution would, for a single moment, be entertained by a body claiming to be enlightened, or acting under the slightest sense of self respect? What, then, becomes of the argument? It lends no support to the proposition it was intended to aid; and, if it does not, then its defence falls to the ground.

The second gentleman advanced this argument to sustain the idea that the *viva voce* vote was necessary to the acquisition of responsible officers, and instanced the case of the delinquent sergeant at arms, who ran off a few years ago with the pay of the members of congress. Now, can it be possible that it is not perceived that an officer would be just as apt to run away with money who was elected by *viva voce* as by ballot? Is there any thing in the mode that makes men honest? Surely this will not be seriously contended for. Sir, these are ad captandum arguments; they are assumptions somewhat plausible; and, being addressed to the fears, it is expected they will be taken without examination, as the mind naturally shrinks from investigation, and that the conclusion to which they point will be seized at once.

The first gentleman also stated, towards the conclusion of his remarks, that the *viva voce* mode of election would save time; but before he concluded the argument, it became very evident he lost confidence in it himself, for he lost the animation which equally sustains unwavering conviction, and said his chief reliance was not so much upon the expediency of the change as the great principle of liberty and democracy involved in the question.

Sir, this argument of time was an unfortunate one; for if there is one thing, more than another, in which our constituents are fully satisfied, it is that the more time we take up in doing nothing, the better they fare. Indeed it is the common law of this house to adjourn whenever the motion is made, sometimes from Thursday, and very frequently from Friday to Monday, upon the express understanding that when we are not in session the people have a respite from our filching legislation.

Mr. C. said he would promise the house one thing; that he should not follow the example of those who had gone before him in the length of his speech, unless, indeed, the warmth of his feelings had already betrayed him into such an infliction. He would therefore conclude by saying that, as he believed the resolution would change a wholesome practice, from which not a solitary evil had resulted; that it was designed for a particular party purpose; and would, when that purpose was fully served, be repealed, it should have his most decided opposition.

[Mr. *Jones*, of Geo. concluded the day's debate.]

IMPORTATION OF LOCOMOTIVES—FREE OF DUTY.

Extract from the debate in the house of representatives, December 18, *on the reference of the resolution offered by Mr. Clayton, of Georgia, to permit the importation of locomotive engines and rail road cars, and their parts, free of duty.*

Mr. *Chambers*, of Pennsylvania, addressed the house. It was to make but a few remarks, he said, that he addressed the house yesterday, on the subject of the resolution then and now before the house for reference. The question being one of reference merely, he should not now occupy time by discussing the merits, further than to show the interests involved. As the object of the resolution was to obtain a drawback of duties on the various articles of iron used in the construction of rail road cars and locomotive engines, as well as to exempt them from duties for two years hereafter, it was one affecting most materially the manufacturing interests of this country. The exemption, said Mr. C. is not proposed to be confined to those various articles of iron imported for, and actually used by, a rail road company, but admits all of the description imported, or that may be imported for two years.

As a revenue question, it is to the nation a small concern, and one that the house, in that character, will be competent to consider and decide, in whatever shape it may be presented. The importer who has introduced the article, has no right to complain of those duties which have been imposed by a law which, as a compromise of conflicting interests, was to continue at least for the term provided. The manufacturers of iron, in its various forms, and which, in several of the states, give employment to an immense capital, as well as to an incalculable amount of human labor depending on them for subsistence, are assailed in their interests, and promised protection, by the proposed resolution.

As a subject affecting those interests so materially, what committee so appropriate as the one having charge of those interests? That committee ought to direct its attention to the tariff compromise and compact. Also to ascertain how far the American manufacturer furnishes and can furnish, the various articles of iron enumerated. And to what extent the iron introduced by the description given, can be used for other purposes, interfering with other articles of American iron manufacture.

When it is necessary that the house should be put in possession of facts on any question calling for legislation, it is sent to a committee more competent to obtain the information, and to consider it, than the house can, from its number, and in its collective capacity, be able to effect.

All the information connected with this branch of the iron manufacture should be in possession of the committee, who would consider and report on the subject, and should be furnished to the house to aid its legislation. It is, therefore, proper and reasonable that the subject should be referred to the committee on manufactures, whose duties lead them to the information wanted.

If this is not a proper subject for the attention and consideration of the committee on manufactures, I do not know what is, or for what such a committee is raised at this time.

It was alleged by the gentleman from North Carolina, (Mr. *Speight*), that the interests of his constituents, which were agricultural, were interested in the proposed reduction, and that those interests were in opposition to the interests of the constituents of my colleague (Mr. *Denny*). If they are, it is remotely, and the act and compromise of 1832 does not allow us now to weigh or measure these conflicting interests. So far as the interests of the agriculturist and the manufacturer did conflict, they were then weighed in the balance and adjusted; and under that compromise it must rest.

The gentleman also disclaims any intention to impugn or impair the tariff compact of 1832; and yet is it not the object and tendency of the resolution thus to change the provisions, and affect the protection of that act?

The gentleman will not wage war upon the entire act by one assault, but he will, by attacking its different parts in detail, and, by piece-meal, destroy its provisions.

The very resolution under consideration calls for a repeal of some of the very provisions of that act, and to withdraw the protection, so far as it was afforded to the American manufacturer, of any of the articles enumerated; and yet we are told it is not intended to disturb the interests provided for in the compromise and tariff of 1832.

If it be no violation of the compact and public faith to those who have embarked their capital in the manufacture of iron, relying on the protection of this law, to have it withdrawn, why may not every other manufacturing interest be assailed in the same manner? A certain portion of the community may conceive, that their interests would be promoted by a repeal of the duties on woollens imported and to be imported, for a certain time; and they or their friends come to this house with a memorial or resolution on the subject. Another portion may be of opinion, that their interests require a repeal of the duties on cottons, and they present their memorial or resolution on the subject. Others, dissatisfied with the duty on sugars, may come, and by their memorial or resolution, ask a repeal of the duties for the protection of American sugar. In this manner, and by selecting the several branches of American manufactures, each one may be assailed separately on this floor. The advocates of these conflicting interests may then, as now, tell us, that the interests involved are those of revenue only, and that they are not a proper subject for the attention of the committee on manufactures, but, as a mere affair of revenue, they should be sent to the committee of ways and means. If opposition should be made in behalf of the American manufacturer, as affecting his interests, and a reference required to the committee on manufactures, it would be replied, that this house had, by precedent, considered it merely an affair of revenue, and as not designed to impugn the tariff provisions and protection of the act of 1832. Is this house prepared to adopt such arguments as sound, and act upon them as such?

By such a course of proceeding, the manufacturing industry and capital of the country may be destroyed, and the committee on manufactures in this house may be dispensed with. If the manufacturer, or the friends of that interest, should in this house ask an increase of duties on the articles of iron, enumerated in the resolution, would it not at first blush be pronounced a palpable attempt to infringe the tariff compromise; and

where, I would ask, does the attempt to exempt certain articles from duties imposed by that law, differ in its character? It was alleged by the gentleman from Virginia, (Mr. *Mason*), that to allow the drawback would not affect the manufacturer, as the articles are imported. This is a proper subject for the inquiry of the committee on manufactures. The articles enumerated are to be exempted not only for the benefit of a rail road company, but for all others who have imported the articles, and have them for sale in the market. There is in this an advantage given to foreign capital and labor, not only over American, but in violation of protection promised under the faith and law of congress.

It has been alleged that the articles are not manufactured in the United States. I am informed that they are, to a considerable extent. There is no great art in the manufacture of many of the articles enumerated—wheels, axles, tires, &c. It will be for the committee on manufactures to inquire whether iron would not be imported in these forms to be used for other purposes. The wheels and axles are plain castings, not requiring much skill in the manufacture, and consuming a large quantity of iron.

But it is assigned as a reason for the reference to the committee of ways and means, that such has been the former disposition of like subjects, before the house on former occasions. These were the cases of the Schuylkill rail road company, and the Petersburg rail road company before the house at the last session.

Though precedents in legislation are not of high authority, and especially, when they are of recent origin, without the sanction of time, consideration and repetition; yet, if I am not mistaken, the cases referred to were cases of much more limited inquiry. They were confined to two cases where the article to be exempted had been imported some time before, and were in use, for the rail road company.

If the house acted inconsiderately in this, it is time that the practice should be corrected, before a succession of precedents will give it authority. They were an entering wedge, which it seems is to be followed by others of larger dimensions. What was done then, is now assigned as a precedent for going further.

It is well known in this house, that there was much complaint last session of the reference to the committee of ways and means, of subjects that belonged more properly to other committees. It is, I presume, forgotten by few, that, at that session, though we had a standing committee on the judiciary, yet it was referred to the committee of ways and means, to report to this house on the judicial construction of certain acts of congress in reference to pension agents, and their authority under those laws; and that we had from that committee, in the form of a report, an elaborate law argument on the subject.

I do not suppose, and would not say, that the present committee of ways and means are so unfriendly to the manufacturing interest as to be regardless of it, if this subject were submitted to them. I have too much respect for the members who compose that committee to express or entertain such an opinion. But as the consideration of the interests affected pertain more to the duties of another standing committee of high character, having in it gentlemen distinguished for their attainments, industry and probity, I am of opinion that the reference should be to the committee of manufactures.

If committees are, under the rules of this house, raised in reference to particular subjects and interests, their jurisdiction should be maintained, and if any of these committees are to be dispensed with, I trust it is not the committee of manufactures.

Mr. *Cambreleng* would allow, he said, much force to the remarks of the gentleman from Pennsylvania, who had just taken his seat; and when the subject came up on its merits fully before the house, it would be proper to consider how far the proposition conflicted with the compromise act. But he apprehended, and endeavored to show, that the proposed inquiry was one which was connected with a principle on which the government had acted for forty years, and which properly and necessarily came within the province of the committee of ways and means. That principle was, to throw no impediment by any legislation, in the way of improvement in the arts and sciences. Here was a great improvement in the arts which was revolutionizing the world, and which we cannot immediately, or to any extent, avail ourselves of, without importing from abroad certain articles of foreign manufactures. It was absurd to say that we must stand still, fall behind the age, stop our enterprises, and wait till some iron manufacturer can get skill, capital, and experience, to make certain articles for us at home. Such a course would throw our improvements back for five years. He thought the inquiry belonged to the committee of ways and means; and he hoped that the house would take the question without any further debate. We had already spent a great part of two or three days on a mere question of reference, and now the discussion was beginning to widen its range so far as to take in the whole tariff and compromise questions.

Mr. *Jackson* said, he had, yesterday, in voting against the motion to lay this resolution on the table, differed from the friends of domestic industry with whom he usually concurred, and he would convince them that his vote was perfectly consistent with his uniform opinion on that subject. This was not the proper time to go into the question presented by the resolution; but he wished to make a few suggestions in regard to it, and to explain the reasons why he was decidedly of opinion that the resolution should be referred to the committee of ways and means. He was inclined to think that the reasons which had brought him to this opinion would have the same effect on the friends of the tariff. In the first place, this country did not produce rail road iron enough for our consumption, and would not for two years to come. He had had some experience on this subject, and had satisfied himself that this country could not, at present, supply our demand for iron manufactures for rail-roads. Last year he was a long time engaged, without success, in endeavoring to obtain an engine, in this country, for a rail road in Massachusetts, and he ultimately was obliged to obtain it from London. Another consideration was the difference of expense between the engines manufactured abroad and those made at home: it was two, three, or four times as much as the whole amount of the duty. Suppose, then, that the duty is continued, will it prevent the importation of engines? And if it does not prevent the importation of engines, of what benefit will it be to the American manufactures?

The question as to the duty on rail road iron rested on a peculiar basis. The British had been long engaged in the business and they had great skill and capital employed in it. In regard to locomotive engines, we were on a par with them, so far as experience was concerned, they being before us in the manufacture only one or two years. The question was, whether we should burthen our rail roads, which had cost so much money and were of such vast consequence to the country, with this duty on engines, which we could not make in sufficient numbers ourselves. The directors of the Baltimore and Ohio rail road company had stated that there was an advantage of 20, 30, and even 50 per cent. in the use of steam locomotives over the use of horse power: and yet they had been able to procure but three engines, which was not enough for one fourth part of their business. The report, in respect to the internal improvements of the state of Pennsylvania, which he held in his hand, stated, that directions had been given to procure, "*if possible*," fifteen engines for the use of the rail roads in that state; that they required at least from twenty to twenty five engines, and that the number wanted was annually increasing. It was extremely difficult to get an engine when it was wanted, in this country, and we had a capital of many millions invested in rail roads, which would be deprived of much of their utility without the employment of a sufficient number of engines.

Suppose the question should come up before a company which had invested a million of dollars in a rail road, shall we wait one year to get an engine in this country, or shall we send to England and give double price for it? Why, sir, they would not hesitate a moment to order one from England, for the daily interest of their capital would soon pay the difference of the cost. But the question immediately before us is, to which committee does the inquiry belong? Certainly it does not belong to the committee on manufactures, because the duty cannot, for at least two years, have any influence on the home manufacture of the articles. But it may be a question, whether rail roads are useful, and deserving of encouragement; then, sir, the subject belongs to the committee on roads and canals. Just as many locomotive engines will come into the country with the duty as without any duty at all; they will come, because we want them, and cannot do without them. The whole question then, which we have to consider, is, whether the object of encouraging rail roads is of sufficient moment to induce us to dispense with so much of the revenue as we receive from imports upon the articles used in the construction and use of rail roads. This inquiry properly belongs to the committee of ways and means. When we have their bill, we can discuss the relative merits of this sort of American enterprise and of that sort which the gentleman from Pennsylvania has so ably defended. The present duty imposed on engines was 7 cents a pound; and he submitted whether it was politic to impose such a burden on an important branch of enterprise, for the purpose of encouraging the iron manufacture. This view of the subject demanded our consideration the more, from the fact, that four out of five of the rail roads, in this country, none produced more than 5 per cent. on their capital: on an average, he was sure, they did not give more than 3 per cent. The Baltimore and Ohio rail road had never given more than one per cent. Was it fair, then, or wise, to burden them for the benefit of another interest? He concluded by repeating, that he hoped the resolution would go to the committee of ways and means.

[The debate was arrested by a call for the order of the day. The resolution was finally laid upon the table, on the following day, 123 to 85, after being further discussed by Mr. *Ewing*, Mr. *Rencher*, Mr. *Clayton*, Mr. *Binney*, Mr. *Burges*, and others.

THE SINKING FUND.

Report of the secretary of the treasury to the commissioners of the sinking fund—Feb. 3, 1835.

I. *Of the funds received and applied on behalf of the commissioners during the year* 1834.

The funds for the payment of the principal and interest of the public debt, in 1834, were received out of the appropriation of ten millions of dollars made for that year by the second section of the act of the 3d day of March, 1817, "to provide for the redemption of the public debt," and amounted to $6,176,565 19

These funds were applied as follows:

In the first quarter of the year		$563,799 64
Viz: For principal	$539,392 01	
For interest, after deducting a repayment of $48,571 97,	24,407 63	

In the second quarter		923,299 06	
Viz: For principal	$874,092 14		
For interest	49,206 92		
In the third quarter		212,445 96	
Viz: For principal	$146,075 27		
For interest, after deducting a repayment of $8,231 70	66,370 69		
In the fourth quarter		4,477,020 53	
Viz: For principal	$4,407,290 49		
For interest, after deducting a repayment of $858 19 cents	69,730 04		
Amounting, in the whole, as is shown in statement A, to			6,176,565 19
Of which were, for principal		$5,674,412 21	
And for interest		502,152 98	

II. *Of the state of the public debt resulting from the application of the funds in* 1834.

The public debt amounted, on the 1st Jan. 1834, to			$6,002,507 98
Viz: Funded debt		$5,964,686 19	
Consisting of five per cent. stock	$4,712,060 29		
And four and a half per cent. stock	1,252,625 90		
Unfunded debt		37,821 79	
Of which there have been paid, in the year 1834			5,964,774 93
Viz: The whole of the funded debt, as above stated		$5,964,686 19	
And of the unfunded debt		88 74	
Which leaves the amount of the public debt, on the 1st of January, 1835			$37,733 05

consisting entirely of unfunded debt, as is shown in statement B.

In statement C are shown the amount annually appropriated, and the amount annually applied to the payment of the principal and interest of the public debt from 1817 to 1834, inclusive.

By the last mentioned statement, it will be perceived that, after providing for the redemption of the whole of the funded debt, there remained, on the 31st of December last, on the books of the treasury, a balance to the credit of the sinking fund of $12,518,520 99. Under the existing laws, the appropriation of ten millions of dollars, for the present year, will also be carried to the credit of that fund. But as no part of these appropriations will, hereafter, be wanted, except so much as is necessary to discharge the unfunded debt, amounting to $37,733 05, and the interest due on that portion which bore interest, and on that portion of the funded debt not yet called for, it is submitted that it be recommended to congress to direct by law that the surplus be carried to the surplus fund, and that the sinking fund, and the commissioners of the sinking fund be discontinued—such provision being made, at the same time, as may be necessary to enable the secretary of the treasury to apply, or cause to be applied, that portion of the fund which may be reserved, as well as the moneys belonging to it in the hands of the commissioners of loans, to the payment of the principal and interest of the debt when called for.

All which is respectfully submitted,

LEVI WOODBURY, *sect'y of the treasury.*

Then follows a long statement of the particular payments, made at different times and places. The recapitulation will suffice.

RECAPITULATION.

In payment of interest on the public debt		$259,814 84
For the redemption of 5 per cent. stock of 1821		4,717,282 68
For the redemption of exchanged 4½ per cent. stock of 26th of May, 1824		1,256,968 77
For the redemption of 8 per cent. stock		50 00
Paying certain parts of the domestic debt		38 74
Reimbursement of treasury notes: Principal	$50 00	
Interest	22 02	
		72 02
		$6,234,227 05
From which deduct the following repayments, viz:		
1834. March 31. No. 1,235. On bank U. S. Philad. on account of interest	$48,571 97	
Sept. 30. No. 1,328. On Trenton banking company, do.	7,360 29	
Sept. 30. No. 1,329. On branch bank, Baltimore, do.	871 41	
Oct. 22. No. 1,388. On branch bank, Portsmouth, do.	255 07	
Oct. 22. No. 1,389. On branch bank, Providence, do.	603 12	
		57,661 89
		$6,176,565 19

Treasury department, register's office, January 19, 1835.

T. L. SMITH, *register.*

B.

Statement of the public debt on the 1st January, 1835.

Denomination.	*Date of acts constituting the stocks.*	*When redeemable.*	*Amount.*
Unfunded registered debt, being claims for services and supplies during the revolutionary war	July 9, 1798.	On presentation.	$27,437 96
Treasury notes issued during the late war	Feb. 24, 1815.	On presentation.	5,975 00
Mississippi stock	Mar. 3, 1815.	On presentation.	4,320 09
			$37,733 05

Treasury department, register's office, January 19, 1835.

T. L. SMITH, *register.*

C.

Statement exhibiting the several appropriations for the interest and redemption of the public debt, under the acts of the 3d of March, 1817, *and the 24th of April,* 1830, *and the amount annually applied to the* 31*st of December,* 1834.

1817. Appropriation by the 2d section of the act of 3d March, 1817	$10,000,000 00		
Appropriation by the 3d section	9,000,000 00		
Appropriation by the same section, being a part of the appropriation of ten millions of dollars for 1818	2,830,108 52		
Appropriation by the 4th section, out of the surplus revenue of 1817	4,809,608 23		
			$26,639,716 75
1818. Appropriation by the 2d section of said act	10,000,000 00		
Deduct the amount anticipated in 1817	2,830,108 52		
			7,169,891 48
1819. Appropriation by the 2d section of said act			10,000,000 00
1820. Do. do. do.			10,000,000 00
1821. Do. do. do.			10,000,000 00
1822. Do. do. do.			10,000,000 00
1823. Do. do. do.			10,000,000 00
1824. Do. do. do.			10,000,000 00
1825. Do. do. do.			10,000,000 00
1826. Do. do. do.			10,000,000 00
1827. Do. do. do.			10,000,000 00
1828. Do. do. do.			10,000,000 00
1829. Do. do. do.	10,000,000 00		
Appropriation by the 4th section, out of the surplus revenue of 1829	2,334,170 27		
			12,334,170 27
1830. Appropriation by the 2d sec.	10,000,000 00		
Appropriation by the 1st section of the act of the 24th April, 1830	1,355,748 22		
			11,355,748 22
1831. Appropriation by the 2d section of the act of the 3d March, 1817	10,000,000 00		
Appropriation by the 1st section of the act of the 24th April, 1830	6,174,378 22		
			16,174,378 22
1832. Appropriation per said acts			18,078,938 85
1833. Appropriation per act of 3d March, 1817			10,000,000 00
1834. Appropriation per act of 3d March, 1817			10,000,000 00
			$211,752,843 79
1817. There was applied to the payment of interest and principal			$26,639,716 75
1818. There was applied as above			7,169,891 48
1819. Do. do.			7,703,821 87
1820. Do. do.			8,628,514 28
1821. Do. do.			8,367,093 62
1822. Do. do.			7,849,158 67
1823. Do. do.			5,529,805 86
1824. Do. do.			16,568,393 76
1825. Do. do.			12,099,044 78
1826. Do. do.			11,039,444 60
1827. Do. do.			10,001,585 98
1828. Do. do.			12,163,505 08
1829. Do. do.			12,383,800 77
1830. Do. do.			11,355,748 22
1831. Do. do.			16,174,378 22
1832. Do. do.			18,078,938 85
1833. Do. do.			1,304,913 82
1834. Do. do.			6,176,565 19
Balance of appropriations, 31st Dec. 1834			12,518,520 99
			$211,752,843 79

Treasury department, register's office, January 19, 1835.

T. L. SMITH, *register.*

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 7—VOL. XII.] BALTIMORE, APRIL 18, 1835. [VOL. XLVIII. WHOLE No. 1,230

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

We give up a great deal of room to a full report of the trial of *Richard Lawrence*, for an attempt to assassinate the president of the United States—and especially for the reason that the case, highly interesting for present reading, will be very often referred to. There is a chain of clear and undoubted testimony of the insanity of this individual—and we are glad of it; for we would not have it believed that any one would be so base as thus to attempt the president's life. In the first moments of the excitement caused by the act of Lawrence, great allowances should be made—but how abominable and wicked does the verdict of the jury, (out only five minutes), make the subsequent proceedings of certain persons appear—*the swearers and their patrons?* Actions ought to be instituted against these. There never was a case that deserved punishment more.

—

Late foreign news will be found under the proper head.

—

A large quantity of matter, prepared for the present sheet, is postponed—especially relating to roads and canals, and improvements in the arts and manufactures. Indeed, it is difficult to keep pace with such things. We hope that the people will not "run wild"—for the present season of prosperity must, in its course, give way to a season of adversity. More business has been transacted in our cities this spring than ever before was known, except just after the last war—which caused a mighty "smashing." Every thing is on the *high pressure* principle just now—in the east and the west, the north and the south, and a *collapse* must take place.

—

The spirit of incendiarism clearly shewed itself in *Baltimore*, on Monday night last. A light was observed in an auction store, (situate in a solid block of buildings), at about 9 o'clock—which, being unusual, the doors were forced; when it was discovered that a candle was placed so as to set fire to sundry combustibles, such as straw, &c. and which had actually commenced—and, in a few moments, would have been past putting out! On the lid of a box of candles, (which had been opened to take the one that was burning), was found a Lucifer match with which the candle was lighted! After which the person escaped through a trap door into the cellar, and from thence by the yard, &c.

As there are no robberies or pickings of pockets committed—it is difficult to account for these things; and it appears that the same spirit has shewn itself at Philadelphia.

—

It is stated that a young man aged about 19 years, has been arrested for cutting the hose at the late fire in Baltimore. The testimony against him was positive. He was committed for the fine. It is hoped that this may lead to important discoveries.

—

A bill has passed both branches of the legislature of *Pennsylvania*, authorising the construction of a canal from the termination of the Pennsylvania canal, at Columbia, to the Maryland line; which is, in fact, to the tide—there being a canal already made within the state of Maryland. This canal is to be *private* property, at 50 dollars per share, and books to be opened to receive subscriptions, &c. It passed the senate two to one, and the house of representatives 57 against 26.

The Philadelphians believe that this canal will throw into the lap of *Baltimore*, a large share of the profits of the public works—and have, in town meeting and by their city councils, so said. We do not suppose that this will be the case. It will simply, in our opinion, give to commodities descending the Susquehannah their *natural* direction to the tide—from whence, by the Chesapeake and Delaware canal, or to Baltimore, they will seek a market—as circumstances, or the wishes of parties, may direct—whether at Philadelphia, or in this city. The very large majorities by which the bill passed, (and in opposition to the wishes of the members from Philadelphia, &c.), shews that such was the opinion of the legislature of the state.

—

The gold coined during the month of March was $123,000—and there remained at the mint $445,650. Deposited in the month—bullion 247,870—U. S. coins of former standard 32,050—foreign coins 8,250.

—

The trip from Philadelphia to Baltimore was made, on Wednesday last, in *eight* hours. This seems fast enough—but it will be made in less time!

—

The Chesapeake and Ohio canal is doing a large business just now. The *first* boat laden with corn has arrived at Washington, with 359 barrels.

—

The *Baltimore Gazette* institutes a comparison between the business of the *Columbia rail road*, the great thoroughfare to the west from Philadelphia, and the *Baltimore and Ohio*, which has the same relation to Baltimore—but the week of the former ends on the 2d, and that of the latter on the 11th April. They should have had the same period of time. The result, however, is as follows:

Comparative transportation on the two rail roads, viz:

Articles.	*Columbia R. R.*				*B. and O. R. R.*			
	Eastwardly.							
	tons.	*cwt.*	*qr.*	*lb.*	*tons.*	*cwt.*	*qr.*	*lb.*
Flour	95	1	2	8	780	17	2	7
Iron	34	9	0	8	80	0	0	2
Other articles	157	0	2	6	309	18	0	19
Total	286	11	0	22	1,170	15	3	0

Excess of the Baltimore and Ohio rail road, viz:

	tons.	*cwt.*	*qr.*	*lb.*
Flour	685	15	3	27
Iron	45	10	3	22
Other articles	152	17	2	13
Total	883	4	2	6

	Westwardly.							
	tons.	*cwt.*	*qr.*	*lb.*	*tons.*	*cwt.*	*qr.*	*lb.*
Dry goods, groceries, &c,	390	6	0	18	857	9	3	6
Coal	30	0	0	0	97	6	2	0
Total	420	6	0	18	954	16	1	6

Excess of the Baltimore and Ohio rail road, viz:

	tons.	*cwt.*	*qr.*	*lb.*
Dry goods, &c.	467	3	2	16
Coal	67	6	2	0
Total	534	10	0	16

The following shews the business, in the amount of tolls and passenger-money received, on the Baltimore and Ohio rail road, for the same week:

From tonnage eastwardly	$3,050 71	
" " westwardly	2,357 84	
		$5,408 55
1,311 passengers		1,506 91
		$6,915 46

—

We observe that a portion of the Sandy and Beaver canal—to connect Pittsburgh with the Ohio state canal—will be let to contractors on the 12th of May ensuing. The line comprehended within the lettings embraces a distance of fifteen miles. This work will be pushed to its completion.

—

The internal trade of the United States is by far the most important branch of our commerce. A writer in the Portland Advertiser, recommending the construction of rail roads in various directions from that town, says:

"Few are aware how great is the amount of travel and transportation between the towns of our own country. The tonnage

of domestic arrivals in New York is three times nearly the tonnage of foreign arrivals. The tonnage passed and repassed at one lock of the Erie canal in the business season of seven and a half months, exceeded the entire tonnage, foreign and domestic, which entered and cleared at the New York custom house in 1833."

—

The house of representatives of *Pennsylvania* has refused, 54 to 37, to concur with the senate, in a proposition to repeal the bill of the last session establishing a general system of education, but have passed another bill simplifying its provisions.

—

An anchor has been made for the *Pennsylvania*, (on the stocks at Philadelphia), which weighs *eleven thousand six hundred and sixty-nine pounds*—and the chain cable to which this anchor will be attached, weighs *thirty-five thousand five hundred pounds!*

—

Four hundred and thirty-two passengers left Philadelphia, in the rail road line, for New York, on a certain morning in the present week.

—

Dr. *Sutherland*, a member of congress from Pennsylvania, being at Harrisburgh, and contradicting something asserted by Mr. *Baker*, of the senate, *(in his place)*, in a dictatorial manner—the latter left his place, and struck the doctor severely, which he did not resent: and Messrs. *McElwee* and *Stevens*, members of the house, have had some hard words, in consequence of the former having challenged Messrs. *Stevens* and *Ayres* to "mortal combat!" A letter from Harrisburgh says—"The habit of dictating to the members from Philadelphia, is so strong with the *doctor*, that he could not regard the warning given by Mr. *Baker* some days since, when he declared that he would not suffer the insults of persons in the galleries."

—

We have some fine specimens of the doings of party, in *Pennsylvania*—but must, at least, postpone them. There is an address, however, signed by *Z. Herbert*, *George Brown* and *Andrew G. Miller*, to the "Democratic republicans of Adams county," that contains a letter which is so characteristic of "the party" in Pennsylvania, that we cannot refrain from giving it a place. It is from *Henry Buehler*, a son-in-law of gov. Wolf, as is stated, and addressed to certain officers—as follows:

Letter from Henry Buehler to George Ziegler, esq. prothonotary, J. L. Fuller, esq. attorney at law, or William N. Irvine, esq. Gettysburgh, Adams county, Pa.

(Private and confidential.)

Harrisburgh, March 2, 1835.

Dear sir: It has just been ascertained that the Muhlenberg men have had *second sets* of delegates elected to the 4th of March convention from Bucks, Lycoming, &c. Their object is to leave the decision on the admission of the minority delegates to Adams, Montgomery, Chester, Lebanon, Dauphin, &c. and thus let them *all* in and *cheat* governor Wolf out of the nomination. The only course left, therefore, for the democrats, is to take up their own weapons, dirty as they are, and break their heads with their own club. All the disputed counties are to stand aside, and leave the *undisputed* counties to settle the question. Now the real interests of the party require that you should at once get up a *second set* of delegates from Adams, and thus destroy the vote of the delegates on the admission question—and you are accordingly requested, *at once*, to convene a meeting of a few of our friends, (HALF A DOZEN WILL DO), appoint a chairman and secretary, and then offer a resolution, appointing any *three* men you have confidence in, as delegates to the democratic convention to meet here on the 4th, to represent Adams county, and send them over. It is taken for granted, that you will have but little trouble in making this arrangement.

The travelling expenses, &c. of the delegates, should you find difficulty in getting persons to come, please pay and I will refund. The delegates should be at Sourbeck's brick tavern, at the end of the Harrisburgh bridge, by *nine* o'clock on Wednesday morning, the 4th inst.—*there* they will find a person who will explain the circumstances of the case. It is of course desirable that you should confide this matter to but *few*, and that in *strict confidence. It may not be necessary for the delegates to go into convention at all*, and if so, this circumstance of appointing a second set will never *be known*. We *only* want to *have* the delegates *here*, if they are found necessary to foil the artful designs of the enemy. Please write by the bearer what we may depend upon. You had better keep the bearer until you have delegates appointed; and then send him off with a letter containing the particulars, so that he can get here any time on Tuesday night. Please also *seal* up *this letter* again and send it back by the bearer. The bearer knows nothing at all about this business at your place, nor need he; all he has got to do is to deliver this *letter*, and receive your *answer*, for which you can make him wait. Respectfully and truly yours,

H. BUEHLER.

Our arrangements are such, that if you keep out the vote of the *Adams* delegates, *we are safe*.

The delegates should bring along the proceedings of the meeting that appointed them, *signed by the chairman and secretary*.

[A true copy.]

Extract from Mr. Fuller's reply to Mr. Buehler.

All of my answer to Mr. Buehler that is important is contained in the following extract, dated 2d March, 1835:

"In the nomination of Muhlenberg there is danger: in Wolf's still more. Our only safety is in a third man. And I cannot comply with your request for two reasons: First, I cannot, upon reflection, think of six men in the town and county that would act in this matter; and secondly, I think it politically and morally dishonest." Yours, &c. J. L. FULLER.

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Forty-four indictments have been found by the grand jury of the United States circuit court, in New Jersey, against persons belonging to Barnegat, for plundering from the wrecks of vessels recently stranded on that coast; among those indicted were two justices of the peace residing in the county of Monmouth.

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We have several times spoken of the invaluable services of Mr. *Whittlesey*, of Ohio—who is always at his post, earnestly, and in a few words, calling the house of representatives of the United States to business, being himself always in advance with his own. A correspondent of the New York "Evening Star" says of him.

"Elisha Whittlesey looks just the same sober, sedate, business man he has ever been; and many a widow and orphan, and poor old soldier, were they aware of it, would lift up their prayers to heaven, for its blessing on the industrious, indefatigable chairman of the committee of claims."

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In Frederick county, (Maryland), alms house, 376 persons were admitted from April 1834 to April 1835—of these 85 were Americans, and *two hundred and ninety-one* foreigners—to wit: 200 Irish, 86 Germans, 4 English, and 1 Polander.

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The Cambridge (Md.) Chronicle says: "We understand two foreign purchasers of negroes, Stubbs & Bayly, partners, who have been some time residing at New Market, in this county, were last evening committed to jail for *kidnapping*, they having been unable to give the bail required."

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The governor of Kentucky has appointed the honorable *Thomas A. Marshall*, an associate judge of the court of appeals of that state, in the place of John Chambers, esq. who declined the appointment. Mr. M. has been a representative in congress from that state for the last four years.

Robert P. Letcher, esq. a member of the last congress from Kentucky, declines a re-election.

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The legislature of Massachusetts was prorogued until the 2d of September, after an arduous session of 13 weeks. It will meet with a view to a revision of the statute laws.

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The house of delegates of Louisiana, have passed a bill to appoint a reporter to both branches of the legislature, who is to attend by himself, or a deputy every day, and is to "make a fair and impartial report of the daily proceedings, including a full and fair report of the debates," which are to be published in French and English. He is to receive a salary of $2,500. The part of this law which will be doubtless most acceptable to the editors, is that which requires the stenographer to be the publisher of a paper.

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The election for mayor and city councils of New York has just been concluded. There was only one candidate for mayor, Mr. *Lawrence*; and the great matter in dispute was, a supply of pure and wholesome water. The returns are not yet received.

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A complete return is not received of the result of the election in *Connecticut*—but this is certain, that the friends of the administration have carried all before them, by a majority of about 2,500 votes, and that both

houses of the legislature have the same political character.

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VIRGINIA ELECTIONS.—FROM THE WHIG.

	1834.		1835.	
	*Van Buren.**	*Anti.*	*Van Buren.*	*Anti.*
Albemarle	2	0	0	2
Chesterfield	0	1	0	1
Franklin	1	1	1	1
Frederick	3	0	2	1
Gloucester	0	1	0	1
Greensville	1	0	1	0
Henrico (contested)	0	1	1	0
Isle of Wight	1	0	1	0
Morgan	1	0	0	1
Nottoway	0	1	1	0
Powhatan (doubtful)	1	0	1	0
Princess Anne	0	1	0	1
Prince William	1	0	1	0
Rockbridge	1	1	0	2
Spottsylvania	1	0	1	0
Sussex	1	0	1	0
	14	7	11	10

[We have returns from several other counties, but do not know how to place them, in comparison—such as Loudoun, Nansemond, Berkeley and King & Queen, which are all whigs.]

Mr. Archer's retirement.

To the electors of the congressional district composed of the counties of Powhatan, Nottoway, Chesterfield, Goochland and Amelia.

Gentlemen—The result of the two elections which have taken place in the district, confirming other indications, leaves me no doubt that a majority of you condemn the course I have pursued as your representative, on the important questions which are at present agitating the public mind—I could not expect in these circumstances, to obtain the suffrages of this portion of you for re-election, and ought not to desire it if I could, as nothing could induce me, to renounce, or qualify in any manner, the opinions that divide us. It only remains for me, therefore, to announce to you my withdrawal from a farther prosecution of the canvass, which it is the purpose of this brief address to do.

Having held, for so long a period the place of your representative, it has been my earnest wish, to be enabled before my separation from it, to give some decisive evidence that I have not been wholly undeserving of the trust. This wish I must use the frankness to tell you, that I think I have accomplished, in the conduct which has incurred the disapproval of so many of you; the manifestation that I would abide inflexibly by my sense (however it might be mistaken) of what I owed to the constitution of my country, even at the expense of your favor.

I tender you gentlemen, in taking this final leave, the proper acknowledgments for your past confidence. Your obt. servant, &c. WM. S. ARCHER.

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The expenses of paving in the city of New Orleans last year, was	$264,030 00
The city watch cost	41,839 31
Lighting	20,360 76
Cleaning the city	14,390 64
Among the receipts, we notice licenses for dram shops, billiards, &c.	58,059 00

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The *cholera* is said to prevail at Marseilles—and the deaths to be about forty a day. We do not remember seeing it noticed that it now rages any where else.

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Charles Hammond, esq. editor of the Cincinnati Gazette, is writing a life of general Jackson. It will be ready for the press in the course of a few months.

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The Western Carolinian states that gen. *R. M. Saunders* has been appointed superintendent of the branch mint, to be located at Charlotte, North Carolina.

The Globe has heretofore announced *Martin Gordon*, to be appointed superintendent of the branch mint at New Orleans.

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The amount of duties which accrued at the port of N. York during the year 1834, was	$10,183,152
Amount of value of imports for same period	76,875,365
Value of do. for 1833	60,944,400
Excess in 1834	$15,930,965

Showing an increase in the amount of goods imported at that port, of more than 25 per cent. in one year, and that a year of unusual mercantile embarrassment.

*As shewn by the vote against, or for Mr. Leigh.

At a meeting held at *Albany*, in the evening of the 9th inst. 42 delegates to the Baltimore convention were appointed. Other states are moving in this subject.

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We learn from Woodbury, Gloucester county, New Jersey, that 12 office holders and 3 of the people, met and appointed delegates to the Baltimore convention. This county has 5,000 voters. This is pretty nearly equal to Mr. Buehler's project in Pennsylvania.

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Gov. *Poindexter* left Philadelphia on the 10th inst. for Natchez.

—

Bell's Messenger, of the 18th ult. states that the whole Liverpool coast is strewed with wrecks of different vessels, owing to the heavy gales lately prevalent. Men, women and children, all along the coast, were in a state of constant intoxication from rum, which had been cast at their doors by the winds and waves.

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Sir Samuel Whalley, in the British house of commons, in alluding to the threatened dissolution of parliament, quoted the words of the lord keeper to Charles I—"Your majesty may dissolve it, but another swarm will come of the same hive."

Mr. Barron said: "He would banish the bats and the owls from the temples of the British constitution and the rats too (great laughter). He would place the Irish wolf-dog in its noble attitude of stern and dignified defence on the outside, the English lion within, and the eagle of free commerce to pounce down upon those who should dare attempt to desecrate it (cheers and laughter).

Mr. Kearsley said the honorable member who had last spoken had called up an angel he believed from below. He wished that he and the tag-rag and bob-tail would go down again and sup with him (immense roars of laughter).

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The present emperor of *Austria* is represented as being nearly an idiot. The former emperor, lately deceased, was a fool—as is shown by the general character of his life, and especially in the following:

It is related of the emperor Francis, just deceased, that on coming from the theatre in Vienna, after having been much pleased with a piece represented for the first time, in which there were some strong political allusions, he said—"Well, I'm glad I went to the theatre to-night and saw this piece, for I suppose *they'll* forbid it to be repeated."

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A powder manufactory at Zacatecas, Mexico, blew up on the 20th of February, by which accident 25 men and 17 women employed in it were killed, and 15 persons wounded, three of them dangerously.

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The following shews an account of the state of health in *Liberia*. It is an extract of a letter from *J. F. C. Finley*, dated October 6, 1834—

As Mr. Pinney and myself were walking a week or two ago through the upper end of Caldwell, (which extends six miles down the Pauls and Stockton) he commenced making inquiries at every house about the number in the family when they came out? How many had died? How many now sick? &c. The answers to which I now give.

[Then follows a list of 11 families, consisting of 86 persons, in which 6 have died since the parties came out in 1832, and 10 were then sick].

—

In the house of lords on the 17th ult. in answer to a question by earl Mulgrave, earl Aberdeen said it was with great pleasure that he could inform the house, that the working of the negroes under the new system was most satisfactory. (Hear, hear). The governor of Jamaica had the most sanguine hopes that the emancipation bill would fully answer the expectations of its promoters. (Hear).

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American stocks at London, March 20. New York fives, 1845, 104, sellers; do. sixes, 1845, 103–¾; Pennsylvania fives, 1850, 100; 1854, 101; 1856, 101½; 1858, 102; 1860, 102½; 1862, 103; Ohio fives, 1850, 113–14; Louisiana fives, (Baring's) 1844 to 1852, 101, 101¼–½; Mississippi sixes, 1861 to 1871, 109@109½; Alabama fives, 1863, 97@97½; Indiana fives, 1864, 96½; Florida

sixes, 1857 to 1863, 102½; U. S. bank shares £21 15s. to £22; Louisiana state £26; bank of Louisiana, £27; New Orleans canal and banking co. £21 10s.; New York Life and Trust certificates of deposite, 95.

French funds, March 18. Five per cents. 107,45; four per cents. 96,90; three per cents. 80,35; bank shares, 1850.

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Sir Robert Gill, an English baronet, who, having seduced a poor girl, advised her to hang herself, or read her Bible, just as she liked, has been ordered, by William the fourth, to sell his place in the royal household and "clear." This love of morality manifested by the quondam friend of Mrs. Jordan, must be quite pleasing to John Bull. It shews "reform."

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The state of *Mexico, Peru*, &c. are about as unpropitious as their worst enemies can desire that they should be. We are forced to confess our belief—that the inhabitants of them are incapable of self-government, and must have a *master*.

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Expenditures of the government. The following authentic statement of the expenditures of the government from 1823 to 1833, inclusive, (the last being the latest year to which the accounts were fully made up) is appended to the documentary edition of Mr. Calhoun's report upon the growth of executive patronage:

Statement of the expenditures for the support of the government of the United States, (including payments on account of pensions, and exclusive of payments on account of the public debt), from the year 1823 *to the year* 1833.

Year.	Amount.
1823	$9,784,154 59
1824	10,328,144 71
1825	11,490,359 94
1826	13,062,316 27
1827	12,653,095 65
1828	13,296,041 00
1829	12,690,459 70
1830	13,229,533 30
1831	13,864,067 90
1832	16,516,388 77
1833	22,713,755 11

—

Schools of Massachusetts. The Boston Patriot furnishes some interesting information in relation to the schools of the bay state. It appears that by a resolve of the legislature adopted in March last, returns were required to be made from the several towns showing the condition of the schools, and on the 31st of December last, returns had been received from 261 towns, and there remained at that time 44, by which none had been made. In these 261 towns, there were 2,251 school districts: and the number of male children attending school between four and sixteen years of age, was 67,499, and of female children 63,728. The number of persons between the ages of sixteen and twenty-one, returned as unable to read and write, was 158. There were in these districts 1,967 male, and 2,388 female instructors. The amount raised by taxes for the support of schools in these towns was $310,178, and by contribution $15,141; and the estimated amount paid for tuition in academies and private schools was $276,575. The average number of scholars attending academies and private schools was 824,749. The amount of the local funds is about $127,000, and there are funds invested in real estate, the amount of which is not stated. In those cases, where only the income is given, the aggregate amount is about $2,800 per annum. From the above returns, it appears that the number of scholars in the common and private schools and academies is 158,076, and the amount annually expended $601,895. [*Penn. Inq.*

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Bank of England. The London Times says—The usual monthly average return of the assets and liabilities of the bank of England, embracing the period from 18th November, 1834, to the 10th Feb. results as compared with the 18th of November, on the 10th, a decrease in the circulation of £595,000; a decrease in the deposites of £134,000; a decrease in the securities of £656,000; and a decrease in the stock of bullion of £88,000. But the true state of things is as follows: The real actual increase in the circulation is £261,000 instead of a decrease of £595,000 as resulting from the return. The real actual decrease in the deposites is £150,000 instead of £134,000 as resulting from the return. There is a real actual increase in the securities of £276,000 instead of a decrease of £656,000, as resulting from the return; and the real actual decrease in the stock of bullion is £144,000 instead of £88,000, as resulting from the return. Wherefore, as a final and collective result, it appears that the total actual increase in the liabilities, as compared with November, is £111,000, and this represents the total actual increase in the quantity of money in so far as regards the administration of the currency by the bank of England.

FOREIGN NEWS.

From Havre papers to the 16th March, inclusive.

FRANCE.

The new organization of the ministry was complete. The following is the official arrangement as published in the *Moniteur* of the 13th March:

The duc de Broglie is secretary for foreign affairs, in place of M. de Rigny—and president of the council in place of the duc de Treviso.

Marshal Maison, now minister at St. Petersburgh, is named minister of war. Until his return, the count de Rigny holds this post ad interim.

Messrs. Humann, Thiers, Guizot, Dupin, Persil and Duchatel, retain their offices.

Considerable difficulty existed in bringing about this arrangement. M. Thiers was ready, at one time, to resign, but yielded to the solicitations of about 200 members of the chamber of deputies, who assured him it was the desire of a majority in that body that he should retain office.

The French papers are filled with speculations upon the new arrangement, and particularly upon the elevation of M. de Broglie. It will be recollected that he resigned last year, because the bill for paying America the 25,000,000 francs, was rejected by the chambers, and it seems to be pretty generally conceded that his appointment augurs favorably to the passage of the bill, which will again be presented to the chambers by him; and, it is added, that should it be rejected, that not only the duc de Broglie, but the whole of the ministers will retire. The difficulty of forming the present cabinet it is said will, also, tend much to insure the passage of the bill, as the chambers will be unwilling to assume the responsibility of another dissolution, and that their temper is unfavorable to any further change in the ministry.

The letters and passengers brought by this arrival, all speak the same language; but one opinion, which is, that the American indemnities bill will pass. One of the letters received from Paris says that the duc de Broglie refused to accept the position in the ministry which he holds, until it had been ascertained, beyond all doubt, that this bill would pass; and that, to satisfy him, the opinions of members were canvassed, the result of which was, that there would be a majority of between 120 and 130 in favor of the measure. Another letter says, that the committee who have charge of the question will report *unanimously* in favor of the bill, probably the following week, and that it would pass without difficulty.

The first speech of Mr. Adams on French affairs had occasioned great excitement in Paris; the receipt, however, of his explanation has completely quieted it.*

The breaking up of the late ministry did not arise out of the American indemnities, so much as by the more distracting proposition relative to the political offenders now imprisoned under a charge of attempting an insurrection at Lyons in April, 1834. There are about 200 of these men untried, and it has been proposed to extend an act of amnesty in the case. The difficulty seems to be a question of *power*—whether, if an act of oblivion be granted, it shall require the sanction of the legislative branch of the government, or be dispensed by the power residing in the king. The prerogative claimed by Louis Philippe, under the charter which grew out of the revolution of July 1830, has excited the jealousy not only of the members of the chamber, but of the ministry, and is said to be one of the principal causes of dissention among the latter. The king is charged with an intent to *rule* as well as *reign*—and the ministers, who are responsible for his acts, claim to be something more than machines in framing measures.

Mr. Livingston told an American gentleman with whom he conversed on the 12th March that "he now believed the whole difficulty would soon be settled."

**London, March* 5. A strong impression has prevailed here to-day, that the differences between the governments of France and the United States, will not be settled without some warlike demonstration. This feeling has arisen partly from the knowledge that Mr. J. Q. Adams' party in the United States will not submit to any thing short of a full satisfaction of the claims of that government upon France, and also from the understanding which the advices from France this morning have fostered, that at Toulon great preparations were making to put the French fleet in the most effective position to meet the expected reprisals on the part of the Americans. [*Morning Herald.*

[The perfect ignorance of the state of affairs in the United States, is shewn in the preceding—who has ever heard of a "Mr. John Q. Adams' party," in this country, since the 4th of March, 1829? Mr. A. has many friends—but no party amongst us.]

A passenger by this arrival, who left Paris on the [illegible] March, conversed on that day with several members of the [illegible] deputies, who uniformly expressed [illegible] the claim would be satisfactorily adjusted. He [illegible] that the bill would be presented on the 20th or 25th of March.

GREAT BRITAIN AND IRELAND.

The advices from London are one day later than those previously received. Lord John Russel had expressed his intention of postponing the motion he intended to make upon the Irish church question. This postponement is greatly [illegible] in the London Globe of the 14th of March, as being calculated to have the effect of aggravating the suspicions and [illegible] of the country. This motion was intended as the [illegible] which all the movements against the Peel ministry were to turn—every thing else was to await the result of it—no other movement was to be made until after its fate was ascertained. It is broadly asserted that this is not the way for lord John Russel to keep up the enthusiasm, or acquire the confidence, either of his parliamentary majority or of the country.

SPAIN.

The Carlists, up to the 11th March, continued their blockade of Elisondo; they had three pieces of cannon and one mortar. El Pastor had arrived at Oyarzaa with 2,500 men, with orders to enter Navarre; but it was believed he would raise the blockade of Elisondo. A band of Carlists were disturbing the neighborhood of Cardona, and it was reported that a battle had taken place there. Gen. Llander, with 3,000 men, had marched to scour the mountains of Upper Catalonia. It is stated that the queen had had an interview with the British ambassador, on the subject of the new ministerial arrangements. The new war minister, gen. Valdez, was concentrating troops in Navarre, and the opinion was entertained that the civil war would be speedily put an end to. A Portuguese commander with 4,000 men under his command, of whom 1,000 were French, with 500 cavalry and 8 pieces of cannon, at Chaves, had announced to the Spanish commandant of Verin in Galicia, that he was ready to enter Spain with his troops whenever the Spanish authorities may require their assistance. On the 15th February revolutionary movements broke out, simultaneously, at several different points of the kingdom of Grenada, but were speedily repressed by the authorities of that province.

AUSTRIA.

The archduchess, Maria Louisa, widow of Napoleon, did not arrive at Vienna until a few hours after her father's death.

The first acts of the new Emperor of Austria had generally been approved. M. de Metternich has been charged to design a plan for a monument to the late emperor of Austria. The brother of the new emperor has been appointed viceroy of Italy, and the arch duke Charles is entrusted with the direction of military affairs.

TURKEY.

The city of Adrianople, on the 24th of February, became a prey to the flames. The quarter of the town which was inhabited by Greeks, is nothing but a heap of ashes. The warehouses in which the merchants deposited their goods were in ruins. In one of these, it is said, there were English goods to the amount of 2,000,000 piasters.

The Russian fleet was preparing for sea, and the coincidence of this fact with the arming of the Turkish fleet, had given rise to suspicions. It is said that a Russian squadron of five ships of the line and the same number of frigates, were about to sail immediately for Tripoli, where, on account of the critical state of affairs, the intervention of Russia is imperiously required.

LATER NEWS.

An arrival at New York brings London dates to the 17th and Liverpool of the 18th March, both inclusive. The marquis of Londonderry, in consequence of the course of the house of commons, resigned his appointment as ambassador to St. Petersburgh. This was one of the first appointments made by sir Robert Peel, and excited the indignation of the reformers, by whose assaults he has been compelled to resign, being, as he alleged in his speech in the house of peers, unwilling to go abroad as the representative of his country, with the disapprobation of one branch of the legislature. His course was adopted without consulting ministers.

The government were about to send out a commissioner to Canada, with a view of reconciling the differences existing between the two countries.

The revenue for the year ending Jan. 5, 1835, was £46,509,856—the expenditures £44,901,700, leaving a surplus of receipts over expenditures of £1,608,155.

The woollen trade was flourishing in its several departments.

Lord John Russell had postponed his *test* motion against the ministers till the 30th March.

PORTUGAL.

A petition for dissolving the chambers was lost by a majority of 5 to 31. A bill for enabling priests and nuns to marry was lost, so far as the priests are concerned, from the fear that it would shock popular prejudices; but the ladies are emancipated from their vows.

The government is spoken of as having returned to the constitutional line in their measures, which, together with the circumstance of the new ministry being responsible and popular personages, had given great satisfaction. The prince's conduct towards those who had spoken and voted against his marriage with the queen, had been marked with so much kindness and conciliation, as to win the friendship of those who were his opponents. His activity in the examination of public institutions with a view of rectifying existing evils, was the subject of warm [illegible]. He and the queen are [illegible] From these [illegible] are [illegible] It is even predicted that [illegible] the slightest trace will remain of the [illegible] of the country.

STILL LATER.

From London papers to the evening of the 21st March, inclusive.

The [illegible] was brought before the house of commons on the 20th March. The [illegible] itself was [illegible] but the principles of the measure were fully [illegible] Hardinge, who moved two separate resolutions. Lord John Russell, without pronouncing any opinion on the measure, [illegible] that the resolutions should be agreed to. He then [illegible] his motion, without naming a day. Mr. Spring Rice moved an amendment to the second resolution, with a view of a trial of strength, which resulted in a defeat of the [illegible], by the [illegible] against the amendment and [illegible] being a majority of [illegible] in favor of the ministers.

In the course of the debate, Mr. Hume used certain offensive words in relation to the course of sir Robert Peel, which led to a correspondence and [illegible] on the part of the former, to impugn the private [illegible] of the latter.

Sir Edward Sugden has relinquished the chancellorship of Ireland.

Viscount Canterbury, the late speaker of the house of commons, is appointed to proceed to Canada, as commissioner to settle the differences between the two countries.

Gen. sir Henry [illegible], the second senior officer in the service, is dead. He served in this country during our revolution. Lord Cowley is appointed ambassador to France, and sir Robert Gordon to Russia.

BRITISH COMPLIMENTS!

From the Liverpool Journal.

"That it is too much a custom in England to undervalue the merits of our transatlantic [illegible] [illegible], the United States has not produced such a [illegible] of [illegible] from the accumulation of centuries England has boast of, they are taunted with having produced none. This [illegible], while Irving is one of our esteemed British [illegible]—while Bryant's poems have found a place in every table, and an echo in every heart,—while Leslie and Newton strive with the best artists of these isles for the pre-eminence, and [illegible] have not striven in vain.

There is something at once superficial and absurd in thus asserting that America has not yet produced any man of surpassing intellect. The cavillers forget that while Scott reigns on the land, America has her Cooper, who is unrivalled on the sea. We have had our Fox, Sheridan, Pitt, Canning—but America has orators who can compete with the proudest productions of these great men. There is Webster with an overwhelming strength of argument which, while it requires not the aid of beautiful language, does not disdain to use it—there is Clay, whose wit [illegible] many a [illegible], and whose eloquence takes many a [illegible]—there is Calhoun, who condenses his thoughts into the most forcible and [illegible] form of expression—there is Poindexter, who utters sarcasm the most withering and bitter, in that quiet tone which yet [illegible] the victim writhing under the infliction—there is Preston, who true orator as he is, is most eloquent on the sudden emergency, and unites elegance of language with force of reasoning—there are Sprague, Porter, Leigh, Clayton, Frelinghuysen, and of these are now living—all of these now have seats in congress, and we venture to assert that the best speaker in the English commons is not equal to any one of them. Nay, were these away, we would venture to back Edward Everett against the field.

The memory of Lafayette is honored as it deserved, in America. Throughout the United States, there has been much sorrow, private and public, for his death. Among other public manifestations, was that by the young men of Boston, which took place at Faneuil Hall, the anniversary of his birth day, on September 6th.

The commemoration was got up to honor the virtues and services of him who died "in the fulness of his years and fame." The honorable Edward Everett was invited to deliver an eulogy on Lafayette; the task could not have been confided to worthier hands, as we can see from the printed copy (extending to 96 pages 8vo.) which a friend has forwarded to us from America."

From the Liverpool Standard.

"The citizens of the United States of North America are the only people, of whom we have any knowledge, who cannot endure to be laughed at. If any man or woman has dexterity enough to cheat or overreach them (which is difficult) they can pardon that, and blow a cloud with pleasure over the unexpected loss of the dollars; but wo be to him who ventures even a good natured sally in reference to their taste on the questionable courtliness of their manners! *If caught taking such freedoms with republican refinement, in the land of liberty, he is a dead man, or a tarred and feathered one*—if it be possible.

"The courts of Paris and London lead the fashions in these two countries; but in the United States there is no court, no standard of fashion, no recognised gentry, no *old families*, no one man in five hundred who can look back and tell who was his father's or his mother's grandfather.

sixes, 1857 to 1863, 102½; U. S. bank shares £21 15*s.* to £22; Louisiana state £26; bank of Louisiana, £27; New Orleans canal and banking co. £21 10*s.*; New York Life and Trust certificates of deposite, 95.

French funds, March 18. Five per cents. 107,45; four per cents. 96,90; three per cents. 80,35; bank shares, 1850.

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Sir Robert Gill, an English baronet, who, having seduced a poor girl, advised her to hang herself, or read her Bible, just as she liked, has been ordered, by William the fourth, to sell his place in the royal household and "clear." This love of morality manifested by the quondam friend of Mrs. Jordan, must be quite pleasing to John Bull. It shews "reform."

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The state of *Mexico, Peru*, &c. are about as unpropitious as their worst enemies can desire that they should be. We are forced to confess our belief—that the inhabitants of them are incapable of self-government, and must have a *master*.

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Expenditures of the government. The following authentic statement of the expenditures of the government from 1823 to 1833, inclusive, (the last being the latest year to which the accounts were fully made up) is appended to the documentary edition of Mr. Calhoun's report upon the growth of executive patronage:

Statement of the expenditures for the support of the government of the United States, (including payments on account of pensions, and exclusive of payments on account of the public debt), from the year 1823 *to the year* 1833.

Year.	Amount.
1823	$9,784,154 59
1824	10,328,144 71
1825	11,490,359 94
1826	13,062,316 27
1827	12,653,095 65
1828	13,296,041 00
1829	12,690,459 70
1830	13,229,533 30
1831	13,864,067 90
1832	16,516,388 77
1833	22,713,755 11

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Schools of Massachusetts. The Boston Patriot furnishes some interesting information in relation to the schools of the bay state. It appears that by a resolve of the legislature adopted in March last, returns were required to be made from the several towns showing the condition of the schools, and on the 31st of December last, returns had been received from 261 towns, and there remained at that time 44, by which none had been made. In these 261 towns, there were 2,251 school districts: and the number of male children attending school between four and sixteen years of age, was 67,499, and of female children 63,728. The number of persons between the ages of sixteen and twenty-one, returned as unable to read and write, was 158. There were in these districts 1,967 male, and 2,388 female instructors. The amount raised by taxes for the support of schools in these towns was $310,178, and by contribution $15,141; and the estimated amount paid for tuition in academies and private schools was $276,575. The average number of scholars attending academies and private schools was $24,749. The amount of the local funds is about $127,000, and there are funds invested in real estate, the amount of which is not stated. In those cases, where only the income is given, the aggregate amount is about $2,800 per annum. From the above returns, it appears that the number of scholars in the common and private schools and academies is 158,076, and the amount annually expended $601,893. [*Penn. Inq.*

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Bank of England. The London Times says—The usual monthly average return of the assets and liabilities of the bank of England, embracing the period from 18th November, 1834, to the 10th Feb. results as compared with the 18th of November, on the 10th, a decrease in the circulation of £595,000; a decrease in the deposites of £134,000; a decrease in the securities of £656,000; and a decrease in the stock of bullion of £88,000. But the true state of things is as follows: The real actual increase in the circulation is £261,000 instead of a decrease of £595,000 as resulting from the return. The real actual decrease in the deposites is £150,000 instead of £134,000 as resulting from the return. There is a real actual increase in the securities of £276,000 instead of a decrease of £656,000, as resulting from the return; and the real actual decrease in the stock of bullion is £144,000 instead of £88,000, as resulting from the return. Wherefore, as a final and collective result, it appears that the total actual increase in the liabilities, as compared with November, is £111,000, and this represents the total actual increase in the quantity of money in so far as regards the administration of the currency by the bank of England.

FOREIGN NEWS.

From Havre papers to the 16th March, inclusive.

FRANCE.

The new organization of the ministry was complete. The following is the official arrangement as published in the *Moniteur* of the 13th March:

The duc de Broglie is secretary for foreign affairs, in place of M. de Rigny—and president of the council in place of the duc de Treviso.

Marshal Maison, now minister at St. Petersburgh, is named minister of war. Until his return, the count de Rigny holds this post ad interim.

Messrs. Humann, Thiers, Guizot, Dupin, Persil and Duchatel, retain their offices.

Considerable difficulty existed in bringing about this arrangement. M. Thiers was ready, at one time, to resign, but yielded to the solicitations of about 200 members of the chamber of deputies, who assured him it was the desire of a majority in that body that he should retain office.

The French papers are filled with speculations upon the new arrangement, and particularly upon the elevation of M. de Broglie. It will be recollected that he resigned last year, because the bill for paying America the 25,000,000 francs, was rejected by the chambers, and it seems to be pretty generally conceded that his appointment augurs favorably to the passage of the bill, which will again be presented to the chambers by him; and, it is added, that should it be rejected, that not only the duc de Broglie, but the whole of the ministers will retire. The difficulty of forming the present cabinet it is said will, also, tend much to insure the passage of the bill, as the chambers will be unwilling to assume the responsibility of another dissolution, and that their temper is unfavorable to any further change in the ministry.

The letters and passengers brought by this arrival, all speak the same language; but one opinion, which is, that the American indemnities bill will pass. One of the letters received from Paris says that the duc de Broglie refused to accept the position in the ministry which he holds, until it had been ascertained, beyond all doubt, that this bill would pass; and that, to satisfy him, the opinions of members were canvassed, the result of which was, that there would be a majority of between 120 and 130 in favor of the measure. Another letter says, that the committee who have charge of the question will report *unanimously* in favor of the bill, probably the following week, and that it would pass without difficulty.

The first speech of Mr. Adams on French affairs had occasioned great excitement in Paris; the receipt, however, of his explanation has completely quieted it.*

The breaking up of the late ministry did not arise out of the American indemnities, so much as by the more distracting proposition relative to the political offenders now imprisoned under a charge of attempting an insurrection at Lyons in April, 1834. There are about 200 of these men untried, and it has been proposed to extend an act of amnesty in the case. The difficulty seems to be a question of *power*—whether, if an act of oblivion be granted, it shall require the sanction of the legislative branch of the government, or be dispensed by the power residing in the king. The prerogative claimed by Louis Phillippe, under the charter which grew out of the revolution of July 1830, has excited the jealousy not only of the members of the chamber, but of the ministry, and is said to be one of the principal causes of dissention among the latter. The king is charged with an intent to *rule* as well as *reign*—and the ministers, who are responsible for his acts, claim to be something more than machines in framing measures.

Mr. Livingston told an American gentleman with whom he conversed on the 12th March that "he now believed the whole difficulty would soon be settled."

**London, March 5.* A strong impression has prevailed here to-day, that the differences between the governments of France and the United States, will not be settled without some warlike demonstration. This feeling has arisen partly from the knowledge that Mr. J. Q. Adams' party in the United States will not submit to any thing short of a full satisfaction of the claims of that government upon France, and also from the understanding which the advices from France this morning have fostered, that at Toulon great preparations were making to put the French fleet in the most effective position to meet the expected reprisals on the part of the Americans. [*Morning Herald.*

[The perfect ignorance of the state of affairs in the United States, is shewn in the preceding—who has ever heard of a "Mr. John Q. Adams' party," in this country, since the 4th of March, 1829? Mr. A. has many friends—but no party amongst us.]

A passenger by this arrival, who left Paris on the 16th March, conversed on that day with several members of the chamber of deputies, who uniformly expressed their conviction that the claim would be satisfactorily adjusted. He understood that the bill would be presented on the 26th or 28th of March.

GREAT BRITAIN AND IRELAND.

The advices from London are one day later than those previously received. Lord John Russel had expressed his intention of postponing the motion he intended to make upon the Irish church question. This postponement is greatly deplored in the London Globe of the 14th of March, as being calculated to have the effect of aggravating the suspicions and impatience of the country. This motion was intended as the pivot upon which all the movements against the Peel ministry were to turn —every thing else was to await the result of it—no other movement was to be made until after its fate was ascertained. It is broadly asserted that this is not the way for lord John Russel to keep up the enthusiasm, or acquire the confidence, either of his parliamentary majority or of the country.

SPAIN.

The Carlists, up to the 11th March, continued their blockade of Elisondo; they had three pieces of cannon and one mortar. El Pastor had arrived at Oyarzan with 2,500 men, with orders to enter Navarre; but it was believed he would raise the blockade of Elisondo. A band of Carlists were disturbing the neighborhood of Cardona, and it was reported that a battle had taken place there. Gen. Llander, with 3,000 men, had marched to scour the mountains of Upper Catalonia. It is stated that the queen had had an interview with the British ambassador, on the subject of the new ministerial arrangements. The new war minister, gen. Valdez, was concentrating troops in Navarre, and the opinion was entertained that the civil war would be speedily put an end to. A Portuguese commander with 4,000 men under his command, of whom 1,000 were French, with 500 cavalry and 8 pieces of cannon, at Chaves, had announced to the Spanish commandant of Verin in Galicia, that he was ready to enter Spain with his troops whenever the Spanish authorities may require their assistance. On the 18th February revolutionary movements broke out, simultaneously, at several different points of the kingdom of Grenada, but were speedily repressed by the authorities of that province.

AUSTRIA.

The archduchess, Maria Louisa, widow of Napoleon, did not arrive at Vienna until a few hours after her father's death.

The first acts of the new Emperor of Austria had generally been approved. M. de Metternich has been charged to design a plan for a monument to the late emperor of Austria. The brother of the new emperor has been appointed viceroy of Italy, and the arch duke Charles is entrusted with the direction of military affairs.

TURKEY.

The city of Adrianople, on the 24th of February, became a prey to the flames. The quarter of the town which was inhabited by Greeks, is nothing but a heap of ashes. The warehouses in which the merchants deposited their goods were in ruins. In one of these, it is said, there were English goods to the amount of 2,000,000 piasters.

The Russian fleet was preparing for sea, and the coincidence of this fact with the arming of the Turkish fleet, had given rise to suspicions. It is said that a Russian squadron of five ships of the line and the same number of frigates, were about to sail immediately for Tripoli, where, on account of the critical state of affairs, the intervention of Russia is imperiously required.

LATER NEWS.

An arrival at New York brings London dates to the 17th and Liverpool of the 18th March, both inclusive. The marquis of Londonderry, in consequence of the course of the house of commons, resigned his appointment as ambassador to St. Petersburgh. This was one of the first appointments made by sir Robert Peel, and excited the indignation of the reformers, by whose assaults he has been compelled to resign, being, as he alleged in his speech in the house of peers, unwilling to go abroad as the representative of his country, with the disapprobation of one branch of the legislature. His course was adopted without consulting ministers.

The government were about to send out a commissioner to Canada, with a view of reconciling the differences existing between the two countries.

The revenue for the year ending Jan. 5, 1835, was £46,509,856 —the expenditures £44,901,700, leaving a surplus of receipts over expenditures of £1,608,155.

The woollen trade was flourishing in its several departments.

Lord John Russell had postponed his *test* motion against the ministers till the 30th March.

PORTUGAL.

A petition for dissolving the chambers was lost by a majority of 5 to 31. A bill for enabling priests and nuns to marry was lost, so far as the priests are concerned, from the fear that it would shock popular prejudices; but the ladies are emancipated from their vows.

The government is spoken of as having returned to the constitutional line in their measures, which, together with the circumstance of the new ministry being responsible and popular personages, had given great satisfaction. The prince's conduct towards those who had spoken and voted against his marriage with the queen, had been marked with so much kindness and conciliation, as to win the friendship of those who were his opponents. His activity in the examination of public institutions with a view of rectifying existing evils, was the subject of warm eulogium. He and his queen are accessible to all, indulge in no luxury or ostentation, and live happily together. From these premises, the most happy anticipations are indulged in. It is even predicted that, in a little time, not the slightest trace will remain of the former divisions and misfortunes of the country.

STILL LATER.

From London papers to the evening of the 21st March, inclusive.

The ministers plan of the new Irish tithe bill was brought before the house of commons on the 20th March. The bill itself was not submitted, but the principles of the measure were fully explained in a speech by sir Henry Hardinge, who moved two declaratory resolutions. Lord John Russell, without pronouncing any opinion on the measure, consented that the resolutions should be agreed to. He then further postponed his motion, without naming a day. Mr. Spring Rice moved an amendment to the second resolution, with a view of a trial of strength, which resulted in a defeat of the opposition, by the following vote, 213 against the amendment, and 198 for it, being a majority of 15 in favor of the ministers.

In the course of the debate, Mr. Hume used certain offensive words in relation to the course of sir Robert Peel, which led to a correspondence and disavowal of intention, on the part of the former, to impugn the private honor of the latter.

Sir Edward Sugden had relinquished the chancellorship of Ireland.

Viscount Canterbury, the late speaker of the house of commons, is appointed to proceed to Canada, as commissioner to settle the differences between the two countries.

Gen. sir Henry Johnson, the second senior officer in the service, is dead. He served in this country during our revolution. Lord Cowley is appointed ambassador to France, and sir Robert Gordon to Russia.

BRITISH COMPLIMENTS!

From the Liverpool Journal.

"That it is too much a custom in England to undervalue the merits of our transatlantic rivals, because, all at once, the United States has not produced such a long list of worthies, as, from the accumulation of centuries, England can boast of, they are taunted with having produced none. This, too, while Irving is one of our naturalized British classics—while Bryant's poems have found a place on every table, and an echo in every heart—while Leslie and Newton strive with the best artists of these isles for the pre-eminence, and certainly have not striven in vain.

There is something at once supercilious and ill-bred in thus asserting that America has not yet produced any man of surpassing intellect. The cavillers forget, that while Scott reigns on the *land*, America has her Cooper, who is unrivalled on the *sea*. We have had our Fox, Sheridan, Pitt, Curran, Canning —but America has orators who can compete with the proudest productions of these great men. There is Webster with an overwhelming strength of argument, which, while it requires not the aid of beautiful language, does not disdain to use it—there is Clay, whose wit sends forth many a shaft, and whose eloquence takes many a flight—there is Calhoun, who condenses his thoughts into the most forcible and lucid form of expression—there is Poindexter, who utters sarcasm the most withering and bitter, in that quiet tone which yet further irritates the victim writhing under the infliction—there is Preston, who (true orator as he is) is most eloquent on the sudden emergency, and unites elegance of language with force of reasoning—there are Sprague, Porter, Leigh, Clayton, Frelinghuysen, all of these are now living—all of these now have seats in congress, and we venture to assert that the best speaker in the English commons is not equal to any one of them. Nay, were these away, we would venture to back Edward Everett against the field.

The memory of Lafayette is honored as it deserved, in America. Throughout the United States, there has been much sorrow, private and public, for his death. Among other public manifestations, was that by the young men of Boston, which took place at Faneuil Hall, the anniversary of his birth day, on September 6th.

The commemoration was got up to honor the virtues and services of him who died "in the fulness of his years and fame." The honorable Edward Everett was invited to deliver an eulogy on Lafayette; the task could not have been confided to worthier hands, as we can see from the printed copy (extending to 96 pages 8vo.) which a friend has forwarded to us from America."

From the Liverpool Standard.

"The citizens of the United States of North America are the only people, of whom we have any knowledge, who cannot endure to be laughed at. If any man or woman has dexterity enough to cheat or overreach them (which is difficult) they can pardon that, and blow a cloud with pleasure over the unexpected loss of the dollars; but wo be to him who ventures even a good natured sally in reference to their taste on the questionable courtliness of their manners! *If caught taking such freedoms with republican refinement, in the land of liberty, he is a dead man, or a tarred and feathered one*—if it be possible.

"The courts of Paris and London lead the fashions in these two countries; but in the United States there is no court, no standard of fashion, no recognised gentry, *no old families*, no one man in five hundred who can look back and tell who was his father's or his mother's grandfather.

"It is impossible for an actor or actress, *raised* in America, *to read Shakspeare with either correctness or elegance.* They might read it in the *American* language, but that, like the dialect of Joseph Hume or Mr. Ruthven, is not quite English. If they should make the attempt so much the better, and so much the larger fund of mirth for the English sketcher. If they have any prudence they will drop the idea."

[The parties do not seem quite agreed! We have seen it a hundred times stated that "dollars" are *every* thing, in the United States.]

From the London Court Journal of Feb. 14th and 28th.

"Even *national* manners are swayed by trivial influences. The publication of Mrs. Trollope's book has been fatal, for instance, to the Americans. Embarrassed to find themselves held up as objects of ridicule to the eyes of Europe, they no longer dare to sit or stand, walk or talk, like other people. The fear of the caricature is ever before them; and they are now so studiously polite, so laboriously genteel, so fastidiously aristocratic, so ultra-Europeanly European, that lieutenant Holman might pick out an American by instinct in any mixed circle of London, Paris or Naples. We are half inclined to implore these pseudo-Chesterfieldians to study the unpretending simplicity of the manners of the English court."

* * * * * * *

"A war between France and America? A challenge between congress and *la chambre?* What—what, if the prospect of such an event had been realised, would have become of all the wealthy Yankees who have set up their rest and their molten calf in Paris? The Americans are not London-haunters. They find their national awkwardness of diction and address more readily detected among ourselves, even without the hand book of Mrs. Trollope, the English have a ready clue to the detection of their want of moral refinement. It is not so on the continent. In Paris they cover the potter's clay with tinsel, and bystanders readily fall into the erroneous impression that the vase is of the finest porcelain. In Paris the Yankees have only to furnish themselves from the most fashionable upholsterers, tailors, mantua-makers and jewellers, to pass for *des gens comme il faut.* A rich American, of no remarkable gentility, gave a fine *fete* the other day, at his magnificent hotel. '*Who is* this colonel F———?' was the universal question; to which responded a reply as universal, of '*Ma foi, je n'en sais rien!—Mais ce service de vermeil qu'on a trouve si bien a l'Exposition?*—'*Eh bien?*'—'*C'etoit pour lui!*'—'*Ca suffit! j'irai a son bal.*' And thus a service of gilt plate stands in some places for a certificate of respectability!

"Wonderful, too, is the taste betrayed by the republicans of the United States for courts and courtship! Mr. Rush's rhapsodies at the sight of the five hundred troops at Buckingham house, were nothing. In England a certain feeling of jealous inferiority, of want of caste, keeps them sullenly aloof from St. James'; but in foreign courts they expect to pass for English, and (Columbus and Cabot be about us!) what legions of them infest the receptions of the Tuilleries, and the court galas of Naples! That quaint traveller, Jefferson Hogg, speaking of the propensity of our own countrymen for ascending mountains and climbing church steeples, says that 'Englishmen are so proud, that they are always knocking their heads against the sky.' What quality must we contrarywise ascribe to the Yankees, when we say that they are always knocking their brows against the footsteps of a throne? Be in company with an American woman of high degree in what quarter of the world you will, and in five minutes she will have boasted to you that one of her countrywomen is lady in waiting to the queen of England. Look at them in foreign watering places, where acquaintanceship with the great is so easily achieved, and you may learn the exact gradations of the court calendar of the place from their often cited list of visitors. Their *dearest* friend is sure to be a serene highness, their *dear*, a prince or princess; dukes, marquesses, counts, viscounts, barons, follow in starry profusion. No London footman, no Irish master of the ceremonies ever bandied 'my lady' or your lordship' like a dashing New Yorkian or Bostonian. Mrs. Trollope, in her portraiture, missed the most vulgar feature of American vulgarity. Again we say, what will become of them in case of a war?"

[We regret to say, that there appears to be a great deal of truth, especially in the last paragraph of this article, as to too many Americans. An ass or a monkey, with a title, is more honored by them, than an untitled man of talents and character. And the worst of it is, that these creatures, too often, bring their vile habits "home" with them. They are, however, *forced* to lay them aside—finding that they are only subjects for ridicule.]

EARTHQUAKE AT ST. THOMAS.

Extract from captain John Delesdernier's log book.

St. Thomas, Feb. 11, 1835.

"Twenty minutes past 10 o'clock, experienced a heavy shock of an earthquake—the shock lasted about 25 seconds—the report one and a half minutes. At the time it commenced, I was in a long low store in company with Mr. N. Carrington. The store was composed of brick, stone and lime, and stood on made land or ground, and the shock caused the building to rise and fall like a long flat boat riding on the waves. The pots, hams and other articles usually hung on the beams of the stores, were all put in motion, swinging to and fro. The shock was also felt by capt. Hale, of the brig Rosalba, of Baltimore, in lat. 18 27, lon. 62 30, which lasted about one minute."

Another extract from the same.

Jan. 22—"Tuesday, 10 o'clock in the evening, in passing the island of Nevis, I was a spectator to a scene that surpasses all description. A sudden stream of fire burst upon our sight that astonished and delighted us. It was a broad sheet of flame illuminating the space of many miles—emitted from the volcano on the Island—in a few minutes the flame disappeared and again burst forth in one sudden and splendid column, rising from the horizon and broadening until it reached the sky, and extended over the whole island. The sight was sublime, baffling all description. I was about twenty miles from the island when it disappeared altogether, and left us as dark as Erebus."

[*Boundary Gazette, Calais, March* 26.

EARTHQUAKE AT OMOA. *Omoa, (Central America), Feb.* 7. The most tremendous irruptions of volcanoes have taken place in the interior, upon record—five burst simultaneously in different places, attended with tremendous earthquakes which sunk three large towns, besides many villages, so that no trace of them remains, and destroyed a large portion of St. Miguel and St. Salvador. The air was so obscured by ashes and smoke, that for eight days the inhabitants were obliged to grope their way with torches. The reports were like the firing of musketry and cannon, attended with showers of rocks, stones and cinders. The lava, in some places, ran the distance of sixty leagues, destroying every thing in its course. In Alancho they thought the day of judgment had arrived. The earthquakes were felt very sensibly both here and in Truxillo, and the reports of the irruptions a long way to the northward of Belize. The ashes fell here for about 20 hours like snow, and it was so dark as to require candles at 12 o'clock, M. One volcano burst about forty miles back of Truxillo.

SEMI-ANNUAL BANK DIVIDENDS, AT BOSTON.

PAYABLE 6TH APRIL, 1835.

City banks.	*Capital.*	*Dividends.*	*Amount.*
American	500,000	3 per cent.	15,000
Atlantic	500,000	3 "	15,000
Atlas	500,000	4 "	20,000*
Boston	600,000	3½ "	21,000
City	1,000,000	3 "	30,000
Columbia	500,000	3 "	15,000
Commercial	500,000	3 "	15,000
Commonwealth	500,000	3½ "	17,500
Eagle	500,000	3 "	15,000
Fulton	500,000	3 "	15,000
Franklin	150,000	3 "	4,500
Globe	1,000,000	3 "	30,000
Granite	500,000	0 "	———
Hamilton	500,000	3 "	15,000
Hancock	500,000	0 "	———
Massachusetts	800,000	2½ "	20,000
Market	500,000	3 "	15,000
Merchants'	750,000	3½ "	26,250
New England	1,000,000	3 "	30,000
North	750,000	3 "	22,500
Oriental	750,000	3 "	22,500
State	1,800,000	2½ "	45,000
Suffolk	750,000	4 "	30,000
South	500,000	2½ "	12,500
Tremont	500,000	3 "	15,000
Traders'	500,000	3 "	15,000
Union	800,000	2½ "	20,000
Washington	500,000	3 "	15,000
	$18,150,000		$516,750

OHIO AND MICHIGAN.

To the editors of the National Intelligencer.

Canfield, Trumbull co. Ohio, April 3, 1835.

GENTLEMEN: I perceive in your paper of the 24th ult. some remarks relative to the controversy between *Ohio* and *Michigan*, which I think (unintentionally) in one particular, may produce an impression unfavorable to the forbearance of Ohio. It appears from your remarks that the legislature of Ohio, without waiting to learn what congress would or would not do, passed a law for extending the jurisdiction of the state of Ohio over the strip of territory in dispute, and that the legislature of Michigan passed a law to resist the occupation of this territory by any other authority than that of Michigan or the United States."

The state of Ohio, at different times, and particularly for two years past, by her legislature, and her representatives in congress, has used every means in her power to have the question settled by congress. In her exertions she has not been sustained by Michigan; but on the contrary thereof, Michigan, with the influence derived from her connection with the executive branch of the general government, and availing herself of the press of business before congress, has used every exertion at her command to postpone and defer a decision of the question

*Has been nine months in operation.

by congress. A decision by the house of representatives has been thus defeated, for the last two sessions. Michigan, in the mean time, is making preparations to call a convention to form a constitution, and demand an admission into the union without the previous assent of congress. The inhabitants on the disputed territory, during the last winter, expressed their desire to be under the jurisdiction of the state of Ohio. The legislature of Michigan thereafter passed a law of a highly penal character, to punish those who should accept a commission, under the authority of the state of Ohio. After the passage of this law, the alternative was placed before Ohio, either to enforce her jurisdiction over the disputed territory, or to abandon her claim. From an unshaken conviction that her claim was just, the legislature passed the laws referred to by you, as the most suitable to resist the aggression of Michigan. The law maintains the right of Ohio—but is entirely pacific in its character.

Ohio had forborne for years to enforce her jurisdiction over the inhabitants on a part of the disputed territory, from the belief that congress would decide the question, and that the respective parties would remain in statu quo. After the organization of the county of Wood, which includes the eastern part of the disputed territory, the jurisdiction of Ohio was extended over the few inhabitants that settled there. They were then disposed to belong to Michigan. The judge who presided in the county of Wood thought it savored of oppression to harass the inhabitants by conflicting jurisdictions, and that the neglect to punish witnesses and jurors, for contempt in failing to obey the process of the court, could not in the least affect the final decision of the right of jurisdiction. He thought it comported with the magnanimous character of Ohio, not to vex, harass, or oppress those innocent settlers; but permit them to acknowledge the one or the other jurisdiction, until the question should be finally settled. Michigan has availed herself of this act of forbearance, and urges it as evidence of the waiver, or abandonment, by Ohio, of her right. She was thereupon admonished not to permit Michigan to strengthen her pretensions to the territory, by failing to notice the steps taken. Ohio is acting solely on the defensive. Very respectfully, yours,

E. WHITTLESEY.

Messrs. Gales & Seaton.

THE N. E. BOUNDARY—NEW BRUNSWICK.

The humble address of your majesty's legislative council and house of assembly of the province of New Brunswick, in general assembly convened:

May it please your majesty—

We, your majesty's faithful and loyal subjects the legislative council and assembly of the province of New Brunswick, feeling that the interests of this province are deeply involved in the question now in dispute, between your majesty and the United States of America, relating to the boundary between the British territories in North America and the said United States, are induced to address your majesty upon this subject with sentiments of unshaken attachment to your majesty's person and government.

Deeply impressed with a sense of your majesty's constant wishes to promote the prosperity of all parts of your extended empire, we have the fullest confidence in the determination of your majesty's government to maintain your majesty's rights and preserve the integrity of those your North American dominions, in the settlement of this most important question.

We beg leave most humbly to represent, that a speedy settlement thereof is earnestly to be desired, as well for the quiet and welfare of the inhabitants of those parts of your majesty's possessions which are claimed by the United States, as for the general benefit and advancement of this province.

And as in duty bound will ever pray, &c.

[His majesty's loyal subjects in the province of New Brunswick, are much more attentive to the interests of his majesty, than was the senate of Maine to the interests of their republican fellow citizens. See, for example, the address above, and remember the resolutions to which the state senate gave the go by].

TRIAL OF RICHARD LAWRENCE,

FOR AN ATTEMPT TO ASSASSINATE THE PRESIDENT OF THE U. STATES.

[*Reported for the National Intelligencer.*]

Present—Hon. judges *Cranch*, *Morsell* and *Thruston*.

Counsel—On behalf of the United States, *Francis S. Key*.

For the prisoner, *William L. Brent*, and *James F. Brent*.

The court opened soon after 9 o'clock, A. M. and the prisoner, *Richard Lawrence* was brought into court, in the custody of the deputy marshal, Mr. *Woodward*. Lawrence was dressed in a gray coat; it appeared to us to be of the description of what they call a shooting-coat; black cravat and vest; and brown pantaloons. His appearance was that of a man perfectly at his ease, and collected; but there is an appearance about his eyes, certainly indicative of mania; and an evident assumption of kingly dignity in his demeanor and the expression of his countenance. He took his seat, however, very quietly by the side of his counsel, and conversed smilingly, with them. We know it to be customary for all prisoners, on particular charges, to be reported as handsome and prepossessing, but Lawrence certainly was [illegible] and honestly entitled, to these personal attributes, as he [illegible] this morning in court. It was the opinion universal [illegible] and.

The witnesses having been called into court;

Mr. *Key* rose to address some observations to the bench; when Lawrence started up from his chair, under evident excitement of mind, and said he wished to know whether it was correct to bring him there, or not? He claimed the crown of Great Britain, he said, and also that of the United States; and he wished to know if they could bring him there?

Judge *Cranch* desired him to take his seat; and let his counsel manage his case for him.

Lawrence complied; but still apparently continued the subject, in conversation with his counsel.

Mr. *W. L. Brent* inquired of the court, whether, as this was simply the case of a misdemeanor, the presence of the prisoner, considering his state of mind, might not be dispensed with.

Lawrence again rose, and addressed the court. He wished to know, if, having, as he had, the sword—

He was again stopped; and

Mr. *Brent* stated his belief, that it would be impossible for the trial to proceed, if the prisoner remained in court. The course which it must take, the defence which it was intended to set up, could not fail still further to excite him. He would, indeed, rather he should remain if it were possible.

The *court* thought it necessary that the prisoner should remain.

Mr. *Brent* said he had done all he could to quiet the prisoner's feelings; but had not been able to present any course of which he would make choice.

Judge *Morsell* said, it was always customary for the prisoner to be in court, in cases like the present. To permit him to depart would be altogether a novel proceeding; he should like the trial to proceed in the ordinary way.

The panel was then called; on which

Lawrence observed, that they had called the jury, that, he wished to know if this was correct; he certainly was king.

Judge *Cranch*. You must sit down and be quiet, Mr. Lawrence, until called on to answer.

The prisoner sat down; but not until he had reiterated the assertion, that he was king of Great Britain, and likewise of this country; and that he was protected by the law in his claim.

The following jury was then sworn; many of the whole panel having been challenged on various grounds; chiefly of having formed and expressed opinions upon the case:

Mr. H. L. Cross,	Mr. Charles Butler,
William Orme,	John Mount,
John B. Ferguson,	Samuel Wilson,
William Eaton,	Edward A. Roche,
Benjamin Sewall,	Noble Herttell,
Paul Stevens,	Jeremiah Orme.

The witnesses present for the prosecution having been sworn;

Mr. *F. S. Key* rose and opened the case, somewhat to the following effect: The prisoner before the jury was charged with an offence which was, at least in this part of the world, of very rare occurrence; which rendered it the more necessary that he should give a statement as to the nature of the evidence which he should produce; and, further, because many rumors wide of truth, as usually happened in such cases, had gone abroad. The prisoner was charged with an assault, with intent to kill and murder; and the object of that assault was the chief magistrate of the country. There were two counts in the indictment. One charging the assault, with intent to kill, &c. the other stating more particularly the manner, instruments, &c. It was an offence, which was, by our laws, a mere misdemeanor, and punishable by fine and imprisonment. The station, or office, of the object of this crime, was to be left entirely out of the question; and it was to be considered in the same light as though committed on the most humble individual in the country. The framers of our constitution had not thought it necessary to surround the chief magistrate with any additional protection than those laws, which were deemed sufficient for the citizen holding the most obscure station. The love of order and of justice had heretofore been found, and, he hoped, would continue to be found, sufficient for this purpose. They were not to look on the extraordinary and providential delivery of the president from the danger of the prisoner's act; but, free from any anxiety, to judge of the case according to the evidence which would be offered.

It would be found, that, on a public occasion, the president, and heads of the departments, were retiring from the hall of representatives, from the funeral ceremonies, which had taken place in consequence of the death of one of the members of the house. Of course, there was a large concourse of persons present. Amongst them was the prisoner; armed with two pistols perfectly well loaded; who planted himself in a situation the best adapted for the accomplishment of the object he had in view. He placed himself at the entrance of a door, through which he knew the president must pass; having the pistols concealed under his coat. The percussion cap exploded, but did not communicate with the powder in the tube. He immediately dropt that pistol, having been seized by several individuals but not so as to prevent him from directing a second pistol the president, which he snapped with like success. The friends of the president, with a forbearance highly commendable, placed no further constraint on him; used no further violence, than to give him into the hands of the officer, where he had been ever since. When brought before the chief justice, no man could have acted with more calmness or intelligence. He was now before that honorable court for trial. The sole defence

which can be set up, and which it is to be presumed will be set up, is, that the prisoner is of unsound mind, and therefore incapable of being actuated by a malicious motive.

The ground of defence will, no doubt, be that of lunacy; that he is deranged. And in ascertaining the truth of this, lies the only difficulty; but, it will be conceded that this is a ground of defence liable to be rebutted by evidence to the contrary. In making this statement, it was not his wish to influence the minds of the jury. It might turn out that the prisoner was insane, and he (Mr. K.) believed the community in general would be glad to hear that such an excuse existed; but at the same time it was due to the interests and safety of society that it should be shown by clear evidence that he was not a reasonable being, and, therefore, dispunishable. It was for this reason necessary that he should state what the law was as to the nature of the evidence necessary to prove such an irresponsible state; and he should do so by referring to grave adjudications on this subject. There were various states of insanity. There were many who were *totally* insane; whose reason was altogether gone; either by reason of some accident, or from inherent incapacity. Such persons should, of course, be confined, to keep them from doing mischief. In this case, the person is totally insane; no ray of mental light illumining his brain; he is so at all times, and on all subjects. No one, however, would contend for a moment, that the prisoner belonged to this class. He (Mr. K.) admitted there were states of madness which fell far short of this: cases of partial insanity; in which the individual was at times perfectly sane; had what is termed his lucid intervals. The inquiry, then, arises, whether the person was in a state of insanity, or, whether it was during a lucid interval that he committed the crime. If the prisoner is to be considered as belonging to this second class, then the question would be, in what state of mind was the prisoner when he committed this assault? If in the state of lunacy, then he was dispunishable; but if done during a lucid interval, then he was not to be excused, and must be punished, inasmuch as it is an act done by a man in possession of his reason. This distinction was clear. But this was not all. There was an infinite variety of feelings bound up in the form of lunacy; there was another description of partial derangement. There was a state of lunacy in which the person affected was only insane as to one particular subject; being as capable of reasoning on all others as any other person; and these were the cases of the greatest difficulty. If it appears that a man is a lunatic, and, further, that he is partially so only; if it appears he is only so as to particular subjects, then another subject of inquiry arises; and the rule in this subject is equally plain. What is the nature of the act which the person has committed? Does it appear that it is connected with—that it is the offspring of that delusion under which he suffers? Does it spring from various causes, or from the excitement of other causes? Or is it by a cause exciting this particular state of mind? In the present case, the prisoner has committed an assault, certainly with a murderous intent. If under a state of total insanity, they would then have to consider what the public safety required; if only under the influence of partial insanity, they were then to examine into the character of the delusion under which the prisoner was laboring; to ascertain the connection between the act committed and that delusion; and to see whether it was delusion, and delusion alone, which had induced the act. He (Mr. K.) thought there might be evidence to show that the man was actually under a delusion as to a particular subject. They would then have to compare this with the evidence on the other side, and see how far the crime could be considered as connected with that delusion. No man could have shown more intelligence, more caution and prudence, throughout the proceedings against him; and, further, they would find, from the evidence to be produced on the part of the United States, an avowal of objects totally unconnected with the apparent subject of his delusion. He did not say this to influence the minds of the jury; he only wished to use those means which would be adopted by the counsel on the part of the prisoner.

A remarkable trial, which occurred not many years ago in England, seemed to have settled the law in such cases. [Mr. K. referred to the case of Hadfield, for shooting at George III.] It would be found in vol. 37 of Howell's State Trials. The passage he should read from, commenced at page 1,314. He was perfectly willing that the law, as then laid down by the counsel of the prisoner, the eminent Erskine, should be adopted in the present case. The counsel for the prisoner, he was willing, should have the aid of the arguments used, and used too, successfully, by that great man, in the case of Hadfield. He asked for the adoption of no other rule of law on the present occasion. He would read a few passages from the trial alluded to. [Mr. K. then read an extract from the argument of Mr. Erskine, in which he admitted that it was not enough to show a delusion to exist in the mind of the perpetrator of a crime to render him dispunishable; but that it must be further shown, that there was a connection between the delusion and the act committed. Mr. K. further mentioned the case of Edward Arnold, for shooting lord Onslow; in which a like doctrine was laid down, and which case was referred to and the principle generally admitted by Erskine, when pleading the cause of Hadfield.] Mr. K. proceeded: It was not every lunatic, even, who was to be held unaccountable. There was a general impression, that such was the case; but it was not so: there were lunatics who were accountable at particular times. If, then, the jury should be of opinion, that the prisoner was, at the time of committing the act, under a delusion; that that delusion originated the act; he was, certainly, not guilty; and he (Mr. K.) believed that the community would rejoice if it should be found that such was the case; but if it appeared that he was a man of violent temper and capricious humors; that the act did not spring from delusion, but from other causes; then they could not acquit him from the consequences of his crime. He should lay before them, not only the evidence as to the manner of the act; his appearance and behaviour before the judge; but also the instruments; which they would see were as well calculated to accomplish the purpose designed, and as well prepared for it, as they could have been by any man of intelligence. By the withdrawal of the charge of one of these pistols before the judge, on the occasion of his first examination, it was shown that it consisted of a ball well fitted to the piece, and powder of a very fine quality. The other was examined on the succeeding day, and was fired off without any alteration of its charge. The powder was distinctly seen in the tube; and it was repeatedly fired off after this. This, then, was sufficient to show that there was no defect in the instruments or their loading; and also the deadly intent of the prisoner, which was so happily frustrated by Providential interference. He knew that all these acts might be done even by a man of unsound mind; but, still, there were circumstances to be considered in this case; in which the guilt or innocence of the prisoner must depend on the issue whether he is properly to be considered as having been an accountable human agent at the time he committed the crime. Mr. K. concluded his remarks by saying it was unnecessary to read the indictment, inasmuch as it was nothing more than a common law indictment.

Mr. Secretary *Woodbury* was then sworn and examined.

By Mr. Key. On the occasion of the funeral ceremony which took place in the hall of representatives, in consequence of the death of one of its members, (W. R. Davis), attended, together with the president and other officers of the government; had listened to the funeral service in the hall; left it; the president being on my right arm, had passed through the rotunda, and through the eastern door, where we came rather to a halt, (being in the rear), in consequence of the delay occasioned by the gentlemen who had preceded us getting into the coaches. We had perhaps passed some two or three steps on to the portico, when I heard a noise like the discharge of a pistol; was to the left; looked round directly, and there saw a person, about six or eight feet, a little obliquely to the left, (might not be exact as to distance), who was just in the act of lowering his hand when my eye caught him. It was the prisoner at the bar; saw him distinctly when I turned, and saw the pistol in his hand; presumed he was the person who had fired; it was directed right towards the president; at first I doubted whether it was not myself who was aimed at; but saw that it was towards the president, who was on my right; turned to the president to see if he was injured; seeing he was not, turned to look for the prisoner; he was then in the act of raising his hand again; had something in it; presumed it was a pistol; was not certain whether it was the same or another; thought probably it might be a double barrel pistol; gave a pull from the president's arm, and sprung towards the prisoner; seized him by the collar, and at that moment the second explosion took place; thought so from the noise; other persons had previously got hold of him; which appeared to have put him rather out of his first position; they continued to pull him, with some violence, in a somewhat opposite direction Seeing he was secured, and that there was reason to believe he had no other weapon, I let go my hold and turned to see what was the state of the president after the second discharge as I thought it. The prisoner was dragged forward towards the front of the piazza; saw no more of him until I saw him here an hour after; found the president in the crowd, and went home with him; afterwards went to several magistrates' offices to see what had become of the prisoner; not finding him, came to this room, where he had been brought for examination. It was suggested that Mr. Burd, a member, had possession of the pistols. That gentleman shortly after arrived, bringing with him two pistols, which were produced; should recognize if I saw them again, by their general appearance. An inquiry was made if they were loaded; Mr. Burd or lieutenant Gedney hereupon tried them, I believe with a pencil case; it went down but a little way; an anxiety was expressed on the part of the court to know what was the nature of the charge in the pistol, and an instrument was produced; presume it had a screw at the end, and a ball was drawn out; the ball was examined; and the next question was what was below the ball; it was found to be gunpowder; which was poured out, and also examined; believe there was about the quantity usual for the charge of such a pistol, although I am not well versed in such matters; did not recollect if the other pistol was examined; did not notice any thing unusual or peculiar in the manner of the prisoner; in answer to a question put by the court, he said he had no answer to give; saw nothing peculiar in either his answers or deportment; although others might perhaps.

Cross-examined by Mr. Brent. Do not know, of my own knowledge, whether the pistols are the same; several persons had hold of the prisoner before I seized him, and had pushed him out of the position in which he fired the pistol; the prisoner did not express any reason for the act to me, but I heard had done so to some gentleman on his way from the capitol.

By a juror. It is my impression that the powder was loose in the pistol, not in a cartridge.

Mr. Secretary *Dickerson* examined.

By Mr. Key. Went with other gentlemen of the cabinet to the capitol, on the day of the funeral of the hon. W. R. Davis; after the service in the hall, the procession moved forward towards the eastern colonnade; was a great crowd; was a little to the rear of the president; at the door of the colonnade there was a halt, which brought me up nearly to his side; had advanced, I think, about two steps from the door, when I heard the discharge of a pocket pistol; have certainly heard such pistols discharged without making a louder report; it being in the colonnade might have increased the sound; I turned my eye, and saw some man had laid hold of an individual; I was to the left of the president; saw lieutenant Gedney, and supposed he was trying to get the man down, but could not see the man; it was some seconds before the prisoner could get at his second pistol; and when he did, from his altered position, he had to throw his arm over to get aim at the president; certain it was aimed at him; was very near; saw the prisoner distinctly; saw the size of the pistol, but could not say whether it was brass or steel; it appeared that it must have struck the president had a discharge taken place; in a second from this time, the prisoner was crushed to the floor; but was soon raised again; Mr. Gillet, a member from New York state, a very strong man, had hold of him, as also had lieut. Gedney; I looked at the prisoner, and kept my eye on him, so as to be certain of his identity; about the instant the second explosion took place the president had lifted his stick to strike the prisoner, but made no blow, being prevented by his friends.

By Mr. W. L. Brent. This was at the moment of the second explosion. Should have said on the day, that the distance of the president from the pistol was 8 or 9 feet; had since ascertained it was 12 or 13.

By Mr. Key. Believe the pistols now in the court to be the same; are precisely the same make; saw it ascertained by a pencil case, in court, that the pistols were loaded; saw the charge of one of them drawn; the powder was fine, and there was a proper proportion for a charge; the ball was difficult to draw, it fitted so close in.

By a juror. Am not certain, but think there was a patch round the ball.

By Mr. Key. Demeanor of prisoner was perfectly cool during his examination; said he had no wish to question the witnesses; recollect his once saying, "that must be proved;" understood him to mean that he did not confess the act; believe this was after the examination of the first witness.

By Mr. W. L. Brent. The president was about three feet from me, on the right; no one was between us; did not see the first explosion, but heard it; saw the second; do not know if both were from the same pistol; think the second was not so loud as the first explosion; was a great crowd coming out at the door; did not hear Lawrence say it was at the president he directed the pistol; but formed that opinion from what I saw.

Lieutenant *Gedney* examined.

By Mr. Key. At the time of the assault was entering the door of the eastern portico; going into the rotunda, I observed the president with Mr. Woodbury; they had advanced two or three steps from the door; observed some movement in the crowd; turned my eye, and saw this man with a pistol; I seized him by the shoulder, and got him down; he dropped the pistol; there were two; Mr. Burd had the pistols; some five or six persons seized the prisoner, and I then lost sight of him; examined the pistols, with Mr. Burd; did so with a pencil case; both were loaded; saw nothing further, till I saw the prisoner in court; I took one pistol, Mr. Burd the other; examined them both directly; saw but the first discharge; the pistol was apparently aimed at the president.

By Mr. W. L. Brent. Was at about the distance of eight feet from Lawrence, and at about an equal distance from the president, on the left; was directly between Lawrence and the president; was a great crowd at the door.

By a juror. Had hold of him at the time he snapped the second pistol.

Mr. Secretary Dickerson re-examined by Mr. Brent. The president spoke angrily to those who prevented him from getting at Lawrence; said, "let me alone! let me alone!" Recollect hearing him also say, "he knew where this came from!" Understood he did say more.

Mr. Hunter, (the marshal) examined.

By Mr. Key. Seized the prisoner; had been in attendance in the supreme court; perceived a crowd; pushed through it, and took the prisoner, without knowing what he had done; this was a few moments after he had been disarmed, brought him down before judge Cranch; was present on his examination; am quite sure the pistols now in court are the same; they were marked at the time.

[Mr. *Burd's* evidence, which had been taken before judge *Cranch*, by consent of the prisoner's counsel, to allow Mr. B. to return home, was now given by the honorable judge].

Judge Cranch. Mr. Burd, on the day of the examination of Lawrence, produced a pair of pistols in court; I believe these to be the same; they were marked on the breech; he was asked if they were in the same condition as when taken from Lawrence, and said yes; both were loaded.

Mr. *Hunter* continued: These were the same pistols; saw the bullet extracted by a ramrod; believe by Mr. Blair. [The ball and powder were produced]. There was a patch on the ball; the pistol was charged in the usual way; there were other percussion caps, balls, &c. found in the prisoner's trunk; also in his pocket; saw the powder in the other pistol; took one of the caps found on Lawrence, and fired that pistol; the ball passed through one plank, and nearly buried itself in a second, some yards beyond.

By a juror. No priming wire was used on the occasion; tried several times with the other pistol; and was surprised that it did not go off; but found the reason to be that there was nothing in it; the powder and ball having both fallen out.

By Mr. Brent. When Lawrence was conveyed from the capitol, in the hack, he appeared perfectly collected; said his reason for the act was, that the president had killed his father; that his influence was so great that he had got every one to persecute his father, so that he died poor.

By a juror. Do not think he said then, how long his father had been dead; he said he could not account for the pistols not going off, unless it was its being a damp day; that he could kill a man at ten paces with them. [The witness related some farther particulars as to the trial of the pistols, in the presence of Mr. Key and major Donelson, which were not distinctly heard].

Lieutenant Gedney re-examined by Mr. Brent. Was of opinion that the cap did not explode the second time.

Mr. Hunter further examined by Mr. Key. Both pistols were without caps; but a portion of the cap always remains on the hammer; the pistols were in possession of judge Cranch for a short time; but since then have been in my possession.

Judge Cranch examined by Mr. Key. The prisoner on the occasion of his first examination did not seem to attend very particularly to the evidence given; his manners were cool; but he seemed indifferent; do not recollect the prisoner's remark as to proof being necessary of his identity, after the examination of the first witness; believe he was asked if he wished to put any question, after the examination of each witness; he did not appear absent in mind, but rather regardless of what was going on; on one occasion did say, "I cannot contradict what the gentleman has said."

The foregoing evidence having been gone through on the part of the prosecution,

Mr. *W. L. Brent* asked permission for the prisoner to leave the court. It was painful to all that he should remain; particularly so to himself, as his counsel; and the law did not require his presence.

Lawrence then rose, and addressed himself wildly to the judges: what he had done to Jackson, was on account of money which he owed him: he had come there for that purpose; he considered all in that court as under him; the United States bank had owed him money ever since 1802, and he wanted his money; he must have his revenue from that bank. You are under me, gentlemen. [Mr. *Woodward*, the deputy marshal, endeavoring to prevail on him to resume his seat, he turned round, indignantly, and said, "Mr. Woodward! mind your own business, or I shall treat you with severity!"] It is for me, gentlemen, to pass upon you, and not you upon me.

Mr. *Brent* again appealed to the feelings of the court to spare itself, and the jury, this painful exhibition, by permitting Lawrence to depart in custody of the marshal. Why should the prisoner be detained on this any more than on other similar occasions. He felt, for his own part, that he could not do justice to the cause of the prisoner if he sat beside him; the very fact, that he should take a course in the defence of the prisoner with which he was displeased, would prevent it. He hoped the honorable counsel for the prosecution would permit Lawrence to leave the court.

Mr. *Key* said, he hoped it was not understood that he objected to that course; he was neutral on the subject; he had himself no power to grant him leave to depart.

The *court* was of opinion that Lawrence should remain until proven to be insane. He would, however, be permitted to withdraw, if it was his own wish so to do.

[The unfortunate maniac again started up, and denied the power of the court to try him; he was his own man, he said, and would have his revenue.

Mr. *Brent* endeavored, and successfully, to soothe Lawrence, by telling him he should have his rights. "Ay, but when?" To-day, replied his counsel; and he sat down, contentedly, on this assurance].

Mr. *Brent* said he thought it quite unnecessary after the able exposition of the law of the case, which had been given by the counsel for the United States, to trouble the court or jury with any further remarks on that subject; he subscribed fully to the principles laid down by that learned gentleman; all that remained was to prove that the mind of this unfortunate man was in a state of morbid delusion. He would proceed to call witnesses for this purpose.

Mr. *Redfern* sworn.

Examined by Mr. Brent. Have known Lawrence for sixteen years; I married his sister; first observed a change in him in 1833; in the fall of 1832 he left Washington with an intention, as he said, of going to England; he left in November, and returned again in December, assigning as a reason that the weather was too cold; in the spring of the next year, he started again to go to New York or Philadelphia; he certainly got no farther than Philadelphia; on his return this time, he said the people would not let him go; that this government opposed his going; that I and others had prevented him; that he should not be able to go, until he got a ship and captain of his own; that when he got to Philadelphia, he found all the papers so full about him, that he was obliged to come back. After this he remained in my house six months, but did nothing; said he had no occasion; that he lived on his people; it was very well for

men such as me to work, but he had no need; that he had large claims on this government, which were now before congress; and he used to attend congress regularly; he left my house in January, 1834, but, previous to this, had got quarrelsome with his sister; said the colored girl laughed at him, and that he would kill her; he said that other people also laughed at him; he struck all his sisters on several occasions, and once took up a four pound weight to throw at my wife; I have seen him pass since this time, but never have spoken to him since 1833; he would go about the house without speaking for days together; but would talk and laugh to himself continually in his own chamber; it was the general impression of the neighbors that he was insane from the beginning of 1833; his father died on Capitol Hill—I think about the year 1821 or 1822.

Mr. *Brent* inquired of the witness if Lawrence held two estates in England? [On asking Lawrence the names of his estates, he replied, very gravely, "Tregear and Kinnany!" and they were attached to the crown of England. The witness of course answered in the negative].

Mr. *Redfern* farther stated his belief that Lawrence was insane not merely on one subject; but was suffering under general derangement.

By Mr. Key. On the occasion when Lawrence struck my wife, I took him before squire Waters; he told the magistrate he had no power over him to commit him; do not recollect if I represented him as a madman; he has done very little work since 1833; never knew him to drink.

By Mr. Brent. The prisoner is a painter by trade; used to amuse himself by drawing landscapes, sometimes till 10 or 11 o'clock at night.

Samuel Drury examined.

By Mr. Brent. Have known the prisoner 25 years; for the last year have observed a change in his conduct; he would talk to himself continually in his shop; he would sometimes say, "d—n him, he does not know his enemy; I will put a pistol—erect a gallows;" he conceived himself to be king Richard the third of England; and likewise king of this country; this was about the latter end of last December, or beginning of January; after that, I heard him say, "d—n general Jackson! who's general Jackson?" On one occasion a black boy called to collect a bill, and Lawrence said he would call and pay it; but, as soon as the boy had left, he said, "d—n him! he don't know who he's dunning!" He would stand at the door for hours, wrapt in thought; and even when I passed him took no notice of me; he was continually talking to himself; and would now and then burst out into fits of laughter; I noticed no particular change in him as to dress—he was always fond of dress—but I did in his conduct and appearance; I have often said he was a crazy man, and have heard others say so; have heard the boys call him king Richard; on the morning of his attack on the president, he came to the shop at the usual time, and went to a place where I could see him through a partition; he was sitting on a chest with a book in his hand, laughing; I heard soon after the lid of the chest fall, and heard him say, "I'll be d—d if I don't do it;" he then came out; left the shop, and locked the door.

By the court. Do not know what book he was reading; it was a very small one.

By Mr. Key. Lawrence has done some little work within the last twelve months; would converse rationally on all subjects on which he *would* converse—about landscape painting; he would not talk on other subjects; not about politics; do not know to whom he alluded when he used the oath I mentioned.

John H. Drury, examined.

By Mr. Brent. Am the son of the last witness; know the prisoner; he appeared to be always by himself, and wrapt in thought; always seemed melancholy, would stand at the door in his cloak in the coldest weather; always thought him a crazy man.

By Mr. Key. Never had any conversation with him.

Mr. *Handley*, examined.

By Mr. Brent. Have known Lawrence for twelve or fourteen years; when he was a boy; he was apprenticed to Mr. Howard, a painter in this city; Mr. H. left Washington, and Lawrence then went as apprentice to Mr. Clark at Georgetown, knew, however, but little of him until 1828, when I was engaged as a plasterer at the National Hotel; was well pleased with him; he was working then as a painter; he was remarkably steady, and got into business for himself; was always reserved; had no acquaintances; was never seen in a tavern; never known to drink; in the fall of 1833, he left Washington for New York, with the intention, so he said, of embarking there for England; where he was going to improve himself in landscape painting; he returned, however, in a few weeks, and said the reason he did not go was that the weather was so cold. I noticed a great change in his manner from this time; he was evidently under some strange impression; after this he hired a horse frequently to ride to the capitol; he wanted to purchase one; but was persuaded it would be better to hire one; he bought a saddle and bridle however; he became, also, very fond of dress; would change his dress three or four times a day; there was not a boot-maker who could fit him; and he would stand at the door for hours and speak to no one; he did no work all that summer; nor during the winter; early in 1834 I was standing near Mr. Redfern's store, when Mrs. R. came out and complained to her husband of Lawrence's conduct; saying she could put up with it no longer; Mr. R. said nothing; she went in and Lawrence took her by the shoulders, and either pushed or knocked her down; while she was down he snatched a four pound weight from off the counter; either myself or Mr. Redfern then seized him; he said he would not go to the jail; that the magistrate had no power to commit him; he said he would go if Mr. R. would go. The officer, however, told him he would have a fine room, well furnished, where Mr. Watkins used to be; he was pleased, and said he could have his paintings there, and be very comfortable. He went, I believe, after this, to reside with another brother in-law at the navy yard.

The next place at which I saw him was at Mrs. Strother's; it was in the summer of 1833, I think; he left Mrs. Strother's; do not know where he went to; saw him standing at his shop door, about the first of June last; I was at that time engaged at Gadsby's buildings; his sister applied to me to endeavor to get him employment; she was under the impression that he was deranged, but thought if he got employment it might settle his mind; I thought so too, and endeavored to get him work; he came over to me one day and commenced talking about work; advised him to go to work; think he said no one would employ him; told him Mr. Gadsby had been well pleased with his work before; but advised him to go to Mr. Purdy, who was now working for Mr. Gadsby; he appeared not to like to take day's work; but I told him it was not likely Mr. Gadsby would discharge Purdy to give him the job; he agreed to work; but on the morning he was to come I met him, and he said it was too late, as he could only make three-quarters of a day; he went to work, however, and continued to work for Mr. Purdy for two or three weeks; then told Mr. P. he could not work for the same price as other men, and left him; I saw him at work again for Mr. P. in November; thought he was deranged from his conduct; and so expressed myself to persons in the neighborhood.

By Mr. Key. Had not considered him as deranged on all subjects; knew that he laid claim to this and the English government.

Dr. *Clark* examined.

By Mr. Brent. It was more than eight years since the prisoner lived with me; lived with me three years; was then a remarkably fine boy; rather an exception to the general order of boys; reserved in his manner; but industrious, and of good moral habits; have seen the young man repeatedly of late; thought there was a strange difference in his appearance and manners during the last eighteen months; he was always neat and cleanly; but had of late been much given to dress; had worn mustachios, too; had thought his mind had undergone some change; his countenance too, which used to be florid, had of late appeared pallid, as it now did; and there was an altered appearance about the eye; had occasion to have him at my office last year, on some business in which he had no concern; remarked that he was frequently absent whilst I was talking to him about it; and though now and then his mind seemed to catch the correct notion, yet at other times he betrayed a want of comprehension, and that as to subjects with which he ought to have been better acquainted than myself; frequently observed him stopping at the corner of streets, and gazing round; noticed these things with deep regret, for I had been very fond of the youth; last time I saw him was the day previous to his attack on the president; I was riding into Georgetown about 2 o'clock; noticed the peculiarity of Lawrence's gait and general appearance; when he got opposite the gate leading to the president's house, he stopped; stood gazing there; after riding some way I turned in my saddle, and saw him still standing there; had considered him insane for the last eighteen months; appeared not to understand even subjects connected with the business in which he had been engaged, with me.

By Mr. Key. Did not state any opinion as to his insanity on the day of his examination, because I was not asked; never had any conversation with him on the subject of his delusion.

Mr. *Handley*, the witness formerly examined, corrected a mistake in the testimony he had given—it was in the spring of 1834, that Lawrence went to board with Mr. Cuvillier at the navy yard.

James Freyer examined.

By Mr. Brent. Lawrence boarded at my house for eight weeks; when I spoke to him about money, he would say that he should shortly have millions; that congress owed him a large sum; and that he had to attend there, on the subject, to get it; that he had also large estates in England, and was related to the crown; on other subjects, he would talk at one time very rationally and at others, equally irrationally; one afternoon he threatened to blow Mrs. Freyer's head off, or to cut her throat; then told him he must quit; this was sometime in July; did not consider him sane or safe, from the time he left my house; in October I was going by his shop, and said, seeing him there, "Lawrence, how do you do?" His answer was, "Go to h——! what's that to you?" Told him I had a due-bill of his, and must have my money; "you mean to warrant me for it, I suppose!" he remarked; told him I did not know whether I should or not; "If you do," said he "I will put a ball through your head." I took out a warrant; and after some difficulty he was brought up to squire Waters' office; who observed that he did not consider Lawrence sane; said, I did it more to show him I was not afraid of his threats than on account of the money; had no conversation with him since that time.

By Mr. Key. Got judgment, I think, against him; always appeared insane to me when money matters were talked of; do not mean to say I believe him to be totally deranged.

Mr. *Cuvillier* examined.

By Mr. Brent. Have known Lawrence for four years and a half; have noticed an alteration in his conduct for eighteen months past; Mrs. Redfern requested him to leave; but he would not; my wife is sister to Lawrence; I endeavored to persuade him to leave but could not; the reason he assigned for refusing to leave was that they had a book in which he had found out, that a large fortune was left him in England, said he had no deeds or papers; saw the book afterwards, it was an old book entitled Entick's British Empire; printed in 1774; had remonstrated with him on his foolish notion; and told him his best fortune was in his fingers, and that if he did not leave, Mr. R. would put him in jail; he said they could not, and that no person yet knew who he was; that was the first time I discovered him to be insane; since then has boarded with me; used to attend congress every day; would not work when urged by his sister, replied, "Oh, you are a fool, you know as well as I, what my claim is!" he left my house, and we saw no more of him until last October; he then agreed with me to paint my house; but did not; one Sunday came just before dinner, but would not stay to dine; said he was wanted instantly, and was going to take a passage to Alexandria; he went the following day to Baltimore; heard no more of him till November; it is the opinion of his friends that he has been deranged for the last 18 months on particular subjects.

By Mr. Key. Considered him as deranged as to particular subjects only, can talk rationally on others.

Thomas Smith examined.

By Mr. Brent. Has known Lawrence for years; previous to December 1832, was a prudent, sober, industrious young man; but reserved in his manners; on returning from New York, came to purchase a horse of mine; I persuaded him to hire one instead, and he did so; but said I had not a saddle good enough, and bought one for himself; he hired the horse four or five times a week; in the winter of 1833, he became extravagant in dress; had had two suits sent home in one day; said none would fit; and that the tailors had combined to spoil his clothes; it was in the spring of '33, I first remarked a change in him; he became violent, and immoral in his habits; had frequent difficulties with his sisters on that account; he now hired two horses, one with a side saddle; was frequently riding about with a female, who was discovered to be a woman of loose character. Mrs. Redfern then insisted he should leave the house, which he refused to do; one day at dinner he seized Mr. R. by the collar; he told me he should insist on his leaving; I advised him, if so, to get a warrant; but thought it would be better to get him locked up in the poor house as a deranged man, where medical aid might be had, and his mind possibly restored; was in the habit of firing pistols out of the window at night; various other acts of violence were committed by him during the summer; and I then advised his brother-in-law to send him to sea, as I had heard of an instance where a sea voyage had had a good effect in a similar case. He had considered Lawrence as a man of unsound mind for a long time past; judged so from his manners.

By Mr. Key. Might not perhaps be deranged on all subjects; could not say how far his derangement extended; should think he had lost all sense of right and wrong; judge so from his altered habits; believe he would as soon have shot his own sister as the president.

Mr. *Laskey* examined.

By Mr. Brent. Have known Lawrence 20 years; his father was my uncle; was himself deranged and confined in a room frequently, in England; and Lawrence's aunt died deranged in the District.

Mr. Purdy examined by Mr. Brent. Lawrence had been in his employ, as stated by Handley; had always thought his conduct curious; was always talking to himself; frequently broke out in fits of laughter; never associated with any one.

——— *Gillespie examined.* Worked with Lawrence for Mr. Purdy; had to work on a scaffold with him near the long bridge; his conduct was so strange that he was afraid to work with him, and complained to Mr. Purdy on the subject; thought Lawrence was mad.

Dr. Magruder examined by Mr. Brent. Attended Lawrence a year ago for a local disease; he talked so incoherently that I was satisfied he was deranged; no man in his senses would have given such reasons as he did; might have been able to judge right and wrong; but should not like to have trusted his judgment to any amount in either matter.

By Mr. Key. Considered Lawrence at that time, mad on all subjects; but did not try him.

Dr. Hall examined.

By Mr. Brent. Had listened to the evidence in this case.

Mr. Brent. The law says that the existence of reason is necessary to constitute punishable crime; its deprivation renders the individual dispunishable. What do you call reason?

Dr. Hall. It is in the popular consideration of the term, the attribute of a sound mind; and supposes the faculty of comparing and judging. Insanity, on the other hand, is habitually and palpably, in thought and act to judge erroneously and absurdly. Such is the distinction of the two states; though I confess myself unable to give a strict definition of the term; in the ideot the faculties are altogether defective; in madness they act erroneously; should not call Lawrence an ideot; partial insanity is where the erroneous thought and action is confined to a particular topic or topics; the judgment remaining unimpaired as to others; total insanity is where the erroneous judgment extends to all subjects; lunacy is a term used to express one of the many forms of insanity; a person may be entirely insane, yet not so as to a knowledge of the cause of his insanity; he might know that it arose from a physical injury for instance; I have visited Lawrence twice; consider him laboring under a morbid delusion on a particular subject, and which has so deeply affected the mind, that its effects have extended nearly to all subjects; he can talk rationally whilst you can keep him from one subject; but is very apt to run into that from any and every subject; should distrust his judgment on any point whatever, for the reason that he always manages to connect the subject of delusion with other subjects; from what I have seen believe his attack on the president was so connected, and that therefore he was not capable of judging right from wrong as to that act; believe it, if so, to have been an act of insanity; cannot, of course, tell what might have been his temper at that time; insane persons may, even in the paroxoysms of the complaint, talk rationally; do not see any thing in the physical appearance of the prisoner decisive as to the state of his mind, or the cause of that state.

I saw him last Monday. In the first place asked his name; he said Richard Lawrence; he said it was the family name, and descended from the crown of England; my object was to induce him to converse on subjects not connected with the subject of his delusion; he voluntarily stated his supposed descent; I asked him as to his education; he said he was not sent to school in England; but, that after he came here, his father put him with a painter; which he thought very strange, because, as he was heir to the crown, he thought he ought to have been sent to school to fit him for his station. He then went on and talked so incoherently that I cannot repeat his conversation, about Rome and Holland, and this country; he said the government of all of them properly belonged to him; he said, as to his attempt on the president, that he had no personal hostility towards him; but that he stood in his way; opposed his just claims; and therefore he was determined to destroy him; he thought he had a party in this country who would espouse his cause, and that as soon as the president was removed, his successor would give him his rights; he spoke also in a like incoherent manner about the bank. Mental derangement cannot always be detected by an examination of the forehead; in mania, men sometimes reason powerfully and coolly; but more generally rave incoherently; in some cases they will reason acutely, but generally erroneously; believe, from the conversation of Lawrence, his state is that of morbid delusion; and the only question is—is it genuine or pretended? I believe it is not feigned. Both conversations I had with him were of a similar character. He relies on Mr. Brent's power to get him out of jail, and procure him his rights.

By Mr. Key. In lunacy the state of the patient varies; and his present may be very different from his state three or four weeks ago.

By Mr. Brent. Should call Lawrence a lunatic.

By Mr. Key. Should distrust the judgment of the prisoner on any subject; madness may be spontaneous, and its cause inscrutable; there are exciting causes in most, but not in all cases.

Dr. Sewall stated the result of his interviews with Lawrence; they were so similar in their details to the evidence and the testimony of the preceding witness, that we refrain from giving the whole of them. He said, that Jackson had been an enemy of his family ever since he (L.) was a boy; he complained that Jackson withheld from him the funds of the bank of which he was the rightful owner; would treat Van Buren, or any one, the same, who pursued the same course; that if an attempt should be made to punish him, all the powers of Europe would rally to his aid; that his object in calling on the president was to get money to assist him to go to Europe, where he had now a correspondence; he considered Jackson as nothing more than his clerk; he considered him as the cause of all his troubles, his loss of business, &c. and believed he was leagued with his brother-in-law, Mr. Redfern, to injure him; was not apparently able to assign the process by which the removal of Jackson was to enrich him; believe him to be laboring under mania, and not monomania; I believe him, now, to be a madman; and do not consider him as possessing a judgment of right and wrong; certainly not as to any thing connected with general Jackson; I do not consider him as a moral agent; and think his attempt on the president the act of an insane man; do not believe his madness feigned; and believe, if it were, it would be easy of detection.

By Mr. Key. Formed the same opinion first; was confirmed by all he had seen since: the account published was predicated on his first interview; did state that he changed his position to avoid wounding Woodbury; did state that the president was the cause of injuring him along with other mechanics; that if he were removed, money would be more plentiful; in pursuing many of his propositions he was not able to follow them out; did state that Jackson was "a tyrant," but did not know that he assigned that as a reason for the act; believe he stated that he read it in all the papers; should have little confidence, but do not say he could not make a contract or do work; in our published paper, said I believed he was laboring under hallucination; am not sure it extended to all subjects; I believe my colleague, Dr. Causin, meant the same thing; I cannot say to how many subjects it extended, as I have not examined him on all.

Dr. Bohrer examined.

By Mr. Brent. Lawrence talked rationally till the subject of the occurrence at the capitol was touched upon; and then im-

mediately, incoherently, as to the state of the country; told me his mother was pious; I asked him if she taught him the ten commandments; then particularly as to the sixth; found him perfectly unconscious of any moral or religious responsibility. [Dr. B. here related a conversation, which was precisely like that with the other physicians]. Believing him to be laboring under total derangement as to his supposed claims; and that as to any thing connected with that subject, he is incapable of distinguishing betwixt right and wrong; think it very difficult to feign monomania so as to deceive a physician; believed it was not general insanity, but confined to one subject, namely, that Jackson is standing in the way of his claims.

Dr. *Lovell* examined.

By Mr. Brent. Visited Lawrence in jail; in doing so, had two objects—first, to ascertain the nature of the delusion; and secondly, to see in what manner it was connected with the president. With a view to the former purpose, made inquiries as to his family; he answered these questions in part correctly; said they had large estates in England; they belonged to him and his brother; but they had been defrauded out of them; he said they came to him through the family of Fry, and were attached to the crown of England. I then put other questions to him, in order to see how this delusion was connected with the president; he ran on for some time in an incoherent strain, as to his right to the crown of England—friars—the church of Rome—Holland—and this country; he said this country belonged to England; that the people here were rebels; asked him how it belonged to England, and he said, that the English came here and got the land by driving off the Indians; and therefore it was theirs; that as he was heir to the crown of England it belonged to him; but that Jackson was leagued with lord Wellington to keep him out of his rights; that it was for this reason he had refused him money to go to England; asked him if he was not aware that the act he had committed was wrong; he said no, not if Jackson interfered with him; told him I was an officer in the last war, and asked him whether, as he considered the people of this country as rebels against the English crown, he would not have shot me; he said he should not, unless I had interfered with him; asked him if he would have done the same to Mr. Adams or Mr. Monroe; he said Mr. Adams was a good Protestant, and would not have done as general Jackson had done; my next object of examination was to ascertain if he was practising deception; his story might have been made up; the result was that I believe such was not the fact; that he is actually insane; could detect nothing to induce me to believe he was feigning, he had accounted to my mind, in what way his attack on the president was connected with his supposed rights and claims.

By Mr. Key. Doubt, but not conclusive evidence of deception, might arise out of a discrepancy in Lawrence's mode of accounting for the act—as, for instance, that, at another time, he should have stated, that he did it because the president had injured him and other mechanics, by producing a scarcity of money; keeping it locked up in the bank, &c. the want of money was evidently connected, in Lawrence's mind, with the deprivation of his rights.

Dr. *Worthington* examined.

By Mr. Brent. Visited Lawrence on Wednesday last for the first time; did not remember to have seen him before; but, he said, he knew me, and had seen me in Georgetown; said he had been there with Dr. Clark as a painter, &c; he was consistent in this conversation; his language was such as men would ordinarily have used; he then went on, in answer to further questions, to state, that he went on to New York; that he had made money here, and spent it in that city; that he then returned; that he had been to the president for money; said he had demanded of him a check on the bank of the United States. In reply to my question, what claim he had on the president, he said, the president was the head man of the nation; that he had the bank, and the bank belonged to him; and that if he did not give him his money, he or the president must fall; he said he was the heir—the term he used was the *correct* heir, to the crown of England; that the land was his; he then went on, and talked the most incoherently, about Rome, and Holland, and Catholics; could not, I found, bring him to one point for some time; he said, that the first time he called on the president he had pistols in his pocket, and would have shot him; the second time he had not pistols with him; he had not informed the president of it; did not tell any one what he meant to do; but had talked so loud, frequently, that he was sure some one must have heard; he had done so intentionally—had done so before Mr. Drury; his object, he said, was, so that they might let the president know; the reason, he said, why the pistols did not go off was that they were badly loaded; said he put in the powder and ball himself; my impression during the conversation, was that I was talking with an insane person—insane in one particular; but which insanity had so impaired his reason on other subjects that it was impossible to say how far it extended; detected nothing decisive in his physical appearance, but formed my judgment from his conversation; believed his insanity was not feigned; and am of opinion that a physician knowing previously the real or pretended subject of insanity could easily detect the one from the other; I had this knowledge as to Lawrence; believe that as to every act connected in any way with the subject of his delusion he is incapable of distinguishing betwixt right and wrong; have formed an opinion that his derangement is more general from the collateral proof of the testimony which has been given to-day.

By Mr. Key. Was perfectly sane in his conversation till he touched on the topic of money.

By Mr. Brent. There are two divisions of mania; one in which the patient is dejected and melancholy; this is not the kind with which Lawrence is afflicted; his would appear to be of that character which is called, in Dr. Rush's classification, *astromania*—where the notions of the patient are all of an elevated character; one of the symptoms of *mania* is an insensibilty to cold; was struck when I heard the jailer mention this as being the case with Lawrence; it is a characteristic symptom of mania.

Dr. *Hall* re-examined.

By Mr. Brent. It was a symptom characteristic of general mania.

Dr. *Causin* examined.

By Mr. Key. Attended Lawrence, soon after his commitment, in company with Dr. Sewall; the statement published, was made out the same evening. The motive assigned by Lawrence for the act he had committed, was, that he blamed Jackson for the loss of money which mechanics, and he among the rest, had sustained through him. My impression now is, that, unless he had been practising deception, he is under the influence of *false imagination;* he said, he was heir to the crown of England; that his object in calling on the president was twofold; that he wanted to get money; and, with that money, to go to England; he demanded a certain sum, I think one thousand dollars. As to the particulars of their conversation, I would refer to our published document; inasmuch, as it was made out the same evening; thought his hallucination extended to two subjects only; his right to the crown of Great Britain, and the blame attachable to gen. Jackson, in keeping him out of money to go there. Is believed by the best writers on the subject, that the most proper course which can be pursued in detecting madness, is to touch on the particular point of derangement, which will then produce a visible excitement. They have laid it down, that the mind possesses an internal and an external sense; and that if you touch upon an affected point of the one, it must produce an action in the other, thereby causing that excitement which I have alluded to; which has been wanting, as far I have observed, until this morning, in the prisoner; he has been invariably calm and unexcited. It is stated by the best writers on monomania, that the subjects of the disorder reason *correctly* from *false premises;* in the absence of any evidence of this, in the circumstances attending the act committed by Lawrence, I should say, there was no doubt he was laboring under a *false imagination.*

Mr. Brent proceeded to examine the witness. [The want of silence in the hall, of which the court complained, at this, as well as other parts of the trial, rendered it impossible for the reporter to hear the language of Dr. Causin distinctly, so as to be able to state, accurately, the metaphysical distinction which he drew betwixt *false imagination* and *morbid delusion;* and betwixt *partial insanity* and *false imagination*).

Examination by Mr. Brent, continued. If Lawrence did not feign, his claim to the throne of England and of this country, would prove him to be under a morbid delusion; as to his responsibility, I hold that if a man can discriminate betwixt right and wrong, then he is responsible; is very difficult for a physician to distinguish between feigned and real insanity, except in certain cases; would wish to read some extracts from several celebrated writers on this point. [Mr. *Brent* observed, that the counsel for the prosecution could read them hereafter.] Do not think that such cases of insanity are more likely to proceed from the mind than the body; one mode of detecting feigned from real insanity, is, the absence of excitement when the subject of delusion is touched upon; do not mean by the term excitement, frenzy; do *not* say, that Lawrence is feigning; God forbid I should say so, unless I had positive proof; merely say, that there is an absence of one or two symptoms of real insanity; have seen Lawrence twenty times; called at the jail nearly every day; found him, invariably, calm, kind and agreeable; but, he would still talk in that erratic manner on the particular subject of his false imagination; believe a person insane may possess coolness and design, but scarcely judgment; if I saw much of it should doubt his being insane; may reason, as I before said, correctly, from false premises; no man more so; think discrimination was evident in the circumstances attending the act committed by Lawrence; but have no ground to say, he is feigning.

Dr. Bohrer re examined by Mr. Brent. Am embarrassed to state what would be the effects of a false imagination; the imagination may be wrong; the reasoning on it correct; have heard the evidence of to-day; believe the prisoner's present state of mind has been coming on gradually for some time.

Dr. Sewall re-examined by Mr. Brent. By the term hallucination, used in the first publication, meant insanity; the state of an unsound mind; do not think the prisoner feigns; but think, that if he had done so, it might easily be detected; think his disorder has been coming on for these eighteen months; there is a strong family pre-disposition to madness, according to the evidence of one of the witnesses; this would be quite sufficient to account for the state of the prisoner, without any other cause, mental or physical.

By Mr Key. Believe a physician would decide him to be insane, from his very appearance, his attitude, his manner, his aspect; think any discriminating man would judge him to be so, from these outward appearances; do not think insanity could be feigned so easily as drunkenness, which latter would

be in a great degree a mere physical deception; believe the state of the prisoner's mind is indicated by the general expression of his countenance; but particularly of his eye; there is in it that particular appearance, which a medical man can at once perceive, although he may not be able well to describe it.

By Mr. Brent. Never knew a case in which a person counterfeited madness on a particular subject; was always general madness; would be much more difficult to feign the former.

By Mr Key. Had read Shakspeare's play of *Hamlet;* had seen it performed, but many years ago: thought it difficult to say whether an actor could so well depict the *monomania* of that character as to make a person believe it a reality.

Mr. *Serrin* examined.

Have known Lawrence 4 or 5 years; have had very little to do with him, except as an officer, when he whipped his sister; am no judge of insanity; he behaved odd; when Mr. Freyer gave me a warrant, Lawrence put his hand on me, and seized me; but after he got into the street he went quietly with me.

Mrs. Shields saw nothing strange in Lawrence's conduct, whilst he boarded in her house, except his silence.

Mr. Shields knew nothing about Lawrence, or any one of the boarders.

John Davis who boarded there at the same time, bore testimony to Lawrence's peculiar habits.

Mr. Ball, the prison keeper, testified to Lawrence's insensibility to external cold, (which had been stated by one of the medical witnesses to be a symptom of monomania); he would let his fire go out on the coldest day, and sit in his shirt sleeves.

Mr. Gadsby had employed Lawrence formerly as a painter; was a good workman; had noticed nothing peculiar in his manner.

Mr. Brent said he would not trouble the jury with any remarks; but leave them to decide on the evidence they had heard.

The *court* handed to the jury the verdict given in the case of Hadfield.

They then retired, and in about five minutes returned the following verdict: "We find him *not guilty,* he having been under the influence of insanity at the time he committed the act."

The *court* then ordered that Lawrence should be remanded, and be made as comfortable, and treated as well as his situation would permit, until some further provision could be made to prevent him doing further mischief.

CIRCUIT COURT SYSTEM OF THE UNITED STATES.

MONDAY, FEBRUARY 23, 1835.

On motion of Mr. *Frelinghuysen,* the senate proceeded to the consideration, as in committee of the whole, of the bill supplemental to the act to amend the judicial system of the United States; and the blanks therein having been filled up for the times of sitting of the several courts, &c. as suggested by Mr. *Frelinghuysen.*

Mr. *Benton* rose and said, he felt himself bound to oppose the bill. He could not think of permitting such a measure as that to go through the senate, without making every resistance to it which it was in his power to put forth; for, so far as concerned his section of the country, it was a perfect monstrosity. It gave them a judicial circuit which was to extend—where? Why, almost from the Gulf of Mexico to Lake Michigan—from the torrid to the frigid zone; and a term was to be held once a year! The senator had better at once have proposed that a court should be held once in 20 or 30 years! The two senators from Indiana and Illinois had informed him (Mr. B.) that they were not consulted as to the provisions contained in the bill; and his colleague, too, had also given him to understand the same thing.

Mr. *Frelinghuysen* said: does the honorable gentleman's colleague say he was not consulted?

Mr. *Linn* replied, that he had been spoken to by the honorable senator, and that he (Mr. L.) had suggested an amendment, which was made to the bill.

Mr. *Frelinghuysen* said he had understood from a member of the judiciary committee, to whom he gave the times of holding the courts, about a fortnight ago, that western senators preferred inserting that provision when the bill should be called up. He, (Mr. F.) therefore, could not help expressing his astonishment at what the honorable senator from Missouri (Mr. *Benton*) had said.

Mr. *Benton* continued. He believed the gentleman near him, from Alabama, (Mr. *King*), was not consulted. The two gentlemen from Illinois were not consulted. So that there were six senators with whom there had not been the slightest consultation upon the structure of this bill. It is the first time in the history of the American senate, of a bill having been framed, making provision for three entire states, without consultation with the six senators of those states: and, therefore, when this bill was reported, he determined it should not pass without emphatical opposition from him, before the senate and the whole American people. This important bill is brought up here during a short session, and at the eleventh hour, for rearranging the whole judicial system of the United States. As regards filling these blanks, Mr. B. said, that, so far as Missouri was concerned, as to time, he had as liel it was filled with doomsday; and, as to distance, with the antipodes. His constituents would not be bamboozled with such a bill. A circuit of such extent was mockery, mockery, mockery, to the people of Missouri. Under the name of a circuit court, there is a total impossibility in the way of carrying it into execution. No man, who is fit to be a judge, will suffer himself to be appointed for it. Look at the circuit. Louisiana is at one end of it; and then you are to take a huge leap over Tennessee and Kentucky, the Cumberland and Ohio rivers, and then alight on the borders of Lake Michigan. The middle of this distance is cut off by another circuit. Can such a circuit be thought possible for practical purposes? The only result can be, to answer a temporary purpose, and an object which is not visible on its face.

What is the object of this bill? Certainly nothing for the good of the people. Mr. B. said he had seen, in some of the papers, that Mr. Benton moved to go into executive session, for the purpose of despatching the executive business on hand. He never made any such motion, nor any movement in favor of such a nomination as that alluded to. But it was made 40 days ago. Do we suppose here, that the people are blind, and that every body don't know that we have slept? and now, at the end of 40 days we are to be bamboozled, and the western senators are to suffer such a bill to pass without opposing it? There is an old maxim, that "there are many ways to kill a dog;" and "there are two ways to drown a man." One is to throw him *overboard,* and another is, to "scuttle the ship and let him go to the bottom." He might speak in enigmas, but they would be perfectly intelligible, to senators at least. No man would consent to receive the salary and perform such duties. Mr. B. then alluded to the number of circuits and terms in the eastern states, and contended that there was no impartiality in extending the proposed circuit over such an immense district, giving to it only one term a year. It is said to be only deluding the people with expectations which they will never realize. What is the complaint with respect to the present organization? It is that there is now no judge on the supreme court bench having a knowledge of the practice of the civil law. And if a judge from the north should be sent to New Orleans the same difficulty would exist—he would have no knowledge of the civil law. There ought, therefore, to be a judge upon the supreme court bench from Louisiana. He said he had not seen the bill, and therefore did not know how this judge was to be shot from one end of this circuit to the other. How are you to transport him? By steam? There is no steam to effect it. And to get over land from New Orleans to Lake Michigan, must depend on a series of connecting conveyances. He thought we ought to wait for organizing this circuit till we have arrived at a greater art in ærial navigation. Or perhaps the judge might, in his journeys south, be transported by one of those flights of wild geese, which periodically emigrate from the north, if he could manage to have his car attached to them. Sir, said Mr. B. it will require something more than mere appearances to induce the people to suppose that this bill is introduced for the purpose of extending judicial circuits to the west. We say that this circuit should be given to Louisiana; and although we desire its benefits also, yet we are willing to give it to Louisiana, and wait till justice can be done us under the census of 1840. We come in to the aid of Louisiana, and therefore we are willing that the bill should be amended so as to give to her two courts a year, and a judge of the supreme court. The amendment proposes that there shall be a chief justice and eight associate judges of that court. The 8th circuit to be formed of Louisiana, Alabama and Mississippi, and the judge to be appointed in that circuit and reside there. There is also a section in the amendment providing for transferring the business of the district court into the circuit court, which he believed was wanting in the bill.

He concluded by offering an amendment to the bill, the effect of which was, to leave the present circuit courts precisely as they stand at this time, and to add an eighth judge, to be assigned to the states of Louisiana, Mississippi and Alabama—thus leaving all the north western circuits for the present unsupplied.

Mr. B. then moved to have this amendment to, or substitute for, the bill, printed; that the bill be laid on the table for the present, and that the senate proceed to the consideration of executive business.

Mr. *Benton* withdrew his motion to lay the bill on the table at the request of

Mr. *Frelinghuysen,* who said: I did not expect the kind of opposition that has assailed this measure. The senator from Missouri (Mr. *Benton*) has been pleased to denounce the bill as a monstrosity, and charge it with the effect of *bamboozling* his constituents and all the west. Sir, I am not disposed to be moved by hard words; they certainly cannot enlighten, and they do not intimidate. The proposition, that has lead to this measure, was submitted to the consideration of the senate in the honest discharge of my public duty, with no purpose, inconsistent with a just regard to the claims of every portion of our common country. What is the complaint made by the honorable senator? Why, he gravely urges the geographical extent of the new circuit, and that it unites the torrid with the frigid zone; that it brings the very extremes together. Well, sir, if such have been the facilities in travel, that far distant regions are brought near, does it not become us to improve these advantages, and accomplish important public and national benefits? Why, the judge of this circuit can readily, with ease and pleasure, reach his most distant district in about one week. Sir, the waters of that noble river, the Mississippi, wash the shores of every state that will constitute this circuit, and hundreds of steamboats are constantly in motion through its whole length. The truth is, large as is the territory of these four states, the labors of the judge will be less onerous than the duties which devolve on the judge of the first circuit, composing the states of Maine, Massachusetts, New Hampshire and Rhode Island.

It is indeed a strange charge to hear of this plan, that it will, in the language of the senator, "*bamboozle*" the west, when, sir, this very plan is in terms recommended by the president of the United States in his late message to congress.

The executive, ever since he came into office, has presented to the legislature the claims of the new states to a participation of the judicial privileges enjoyed by their sister states. It was a part of his duty, and he has not neglected it; and the senate will hear in the extract which I shall read from his late message, how the president proposes relief for the west. These are his words: "Your attention is again respectfully invited to the defect which exists in the judicial system of the United States. Nothing can be more desirable than the uniform operation of the federal judiciary throughout the several states, all of which, standing on the same footing as members of the union, have equal rights to the advantages and benefits resulting from its laws. This object is not attained by the judicial acts now in force, because they leave one fourth of the states without circuit courts. It is undoubtedly the duty of congress to place all the states on the same footing in this respect, either by the creation of an additional number of associate judges, or by *an enlargement of the circuits assigned to those already appointed, so as to include the new states.*" Thus, you perceive, sir, that the bill is in perfect harmony with the views of the president. It is a direct response to his intimation. It does *enlarge* the circuit system for the very purpose of including the new states. It proposes to absorb the fourth circuit in the third and fifth—a measure without the least difficulty, and thereby grant the benefit of another judge to the new states.

The vacancy that has happened in the circuit consisting of Delaware and Maryland, does not require of itself the services of a judge. Both these states may be assigned either to the third circuit, or divided to the third and fifth. If the bill then "bamboozles" the west, I have high authority to sustain me—authority which the honorable senator never fails to eulogise as the purest and most patriotic.

I have some reason to complain of the honorable senator, when he said that he had "not looked into the bill" to see what were the times at which the judges of the new circuit "was to be shot off from the one end of his territory to the other." Surely, sir, he should have looked and digested and fully understood it all, before he made it the matter of discussion, in his place, as a senator. The bill proposes but one circuit annually, and I am assured by gentlemen from the west, that this will be quite sufficient for the satisfactory administration of public justice in those states.

But, Mr. President, on the subject of this new circuit, it was distinctly stated, on the introduction of the proposition into the senate, that this branch of it would be left entirely with the senators from the west. Should they prefer to leave the arrangement of their circuits to another session, no one could desire to press it. But that it was important, and of high obligation in the senate, to avail itself of a vacancy on the Atlantic section, and, by an enlargement of the circuits, be prepared, at a proper occasion, and by no increase, or no dangerous increase, of judges, to spread the benefits of our system to every member of the union.

Mr. *Ewing* rose and asked, what, practically considered, was the question under discussion? The subject now before the senate had been presented to it a long time since. The vote of the senate had been taken upon it, and it was referred to a committee. Was it not the duty of gentlemen to apply for information to the committee, and not expect the committee to wait on them? The senator's (Mr. *Benton's*) complaint against the committee was without foundation. It was urged as an objection that courts were held upon this circuit (Ohio) but once a year. Let gentlemen look practically at this matter, and see whether that was a proper subject for complaint. What was the object of these courts? That citizen might sue citizen of the same states? Not at all. They were for the sole purpose of affording a fair and just tribunal to foreigners and citizens of other states, to bring suits in the state where the court may be established. Why, then, hold the court more than once a year? It might be said, in order that citizens might bring suits in this court, rather than in the state courts. Was it, then, so great a favor to the citizens of the state, that foreigners should be induced to bring suits in the circuit court, rather than the courts of the state? Were not the ends of justice as well answered by having this court once a year, as by having it twice? In Mississippi, Missouri, Illinois, and Indiana, this court need not be held more than once a year. If any constitutional question was involved, suit would be brought in this court. In Ohio, where the court was held twice a year, the business was done in summer, not in winter. We were told this was a mockery to the people of the west. Why was it so? Because they could not be sued in this court. With regard to all constitutional questions, a court once a year, was sufficient for all the states west, except Louisiana. He was not ambitious to have the courts of the United States held oftener than this; nor desirous of enabling persons to bring suits in the circuit courts. It was said that the circuit in question was a monstrous one, extending from zone to zone, and imposing difficulties upon the judges. Now, what had the judges to do? The court at New Orleans lasted for two or three weeks. In Mississippi, about one week. At St. Louis, a little longer; and in Illinois, about half as long. In Ohio, there were about a million of inhabitants; and the business done there was in proportion. The time of the judges on this circuit would be less than that required for the eastern district of New York. As to the facilities of transportation, was the gentleman (Mr. *Benton*) serious in what he had said upon this subject? The route was without labor or loss of time. What was the distance from Vandalia to Mississippi? About a hundred miles, whether by means (as insinuated by the senator from Missouri, Mr. *Benton*), of flying dragons, the wings of peacocks, or those of wild geese.

Mr. *King*, of Alabama, said he recollected well that the west and south west had been deprived of the advantages of the judicial system merely in consequence of the inability of gentlemen to make up their minds as to the arrangement of the circuits. That time, however, had now gone by, and if they entertained the opinion that the present system which had been already tried in the old states was a good one, could honorable senators with any propriety withhold its advantages from the western states? He thought not. The general impression seemed to be that the system was beneficial. He should prefer that the arrangement of the circuits should be made according to the geographical position of the several states, be permanent in its character, and extend to all of them alike. The additional expense attendant upon giving those benefits to the south and west, ought not to deter senators from bestowing them. He could not but regret that the subject had not been brought forward at an earlier period of the session. He thought it would be better to recommit the bill, with instructions to report the bill giving an additional judge to Louisiana, Alabama, and Mississippi.

Mr. *Bibb* observed that there was one circumstance the advocates of the bill seemed not to have regarded, and that was—that these six states, to which it was proposed to extend the circuit system, had, for more than fourteen years, been denied the benefit of it. In all criminal cases affecting the life or liberty of a citizen the opinion of the district judge was final and conclusive, without any appeal whatever. And, in regard to civil cases, the decision of the judge was equally determinate. Now, this was a very great grievance. Congress had gone on for years, apparently forgetting that justice was the most sacred privilege of the citizen, and ought to be equally dispensed to all. It was strange—it was an anomaly that in a new country where so many difficulties arose, the rights of the citizens should depend on a single voice. In Louisiana, especially, where many crimes occuring on the high seas had to be investigated and decided upon, by whom was that decision to be made? Why by a single district judge of inferior qualifications. This, then, could not be right—it was manifestly wrong. Some gentlemen he knew to be in favor of separating the circuit and supreme courts altogether. Now, this was also his opinion; and he was free to declare, it was his construction of the constitution. The circuit system, however, had gone into operation, and therefore he gave up the notion of carrying that object into effect at the present time. He thought that the duties to be imposed upon the western judges would be rather too laborious; and he had made up his mind that a re-organization of the circuit system ought now to take place, as they should avail themselves of the vacancy which had occurred on the supreme bench. He imagined that he had a better arrangement in view, and one that was likely to last for many years to come—it was, to create an additional judge, making the supreme court to consist of eight judges. This arrangement, he thought, would be found very convenient hereafter when Florida, Arkansas, or Michigan, should be admitted into the union, as the western circuits could be then easily enlarged, without making any one circuit too onerous. He was willing to vote for one or the other proposition, but still he should prefer the latter, because it was evident that an additional judge would be required before long.

Mr. *Black* said that the circuit system should be either extended to all the states alike, or abolished altogether. He conceived there was a great objection in extending the system, if it was to be done by increasing the number of judges. The plan of the senator from New Jersey was not impracticable; but his (Mr. B's) own preference in regard to the matter was this—that the fourth circuit should be entirely abolished, or added to one or two other circuits, and that two circuits should then be created in the west. He entertained no doubt that ultimately eight judges would be appointed. There were now two territories, which, when admitted into the union, as they soon must be, congress could not resist an application to increase the number of judges to eight. The plan which he had proposed, even if it were considered a bad one, he should prefer to having none at all, for it would at least extend to the people of the west some relief. He thought this now a fair opportunity for the people of the west and south west to obtain an equal participation in the benefits which the old states have derived from the circuit system. He would say, and in perfect good feeling, that he had voted for the appointment of the last judge of the circuit court he should ever vote for, until the circuit system was carried into full effect throughout the United States. He preferred the amendment of the gentleman of Missouri, and should vote for it. If, however, it did not prevail, then he would go for the bill as it stood.

Mr. *Hendricks* remarked that he should vote for the bill as it stood before the amendment which had been offered. The vacancy which had occurred on the supreme bench, struck him as a favorable opportunity for giving a judge to the new states. The western states had been deprived of the benefits of the cir-

cuit court system ever sence they had entered into the union, and it was right that all the states should partake of the judicial system. It had been said that the senate ought to adopt the amendment of the senator from Missouri, because the territories of Michigan and Arkansas might soon be admitted into the union. He (Mr. *Hendricks*) would merely say, "sufficient for the day is the evil thereof." They could be provided for at the proper time.

Mr. *Buchanan* said he should not have risen to make any remarks upon the subject, but he believed the propitious moment had at length arrived when justice might be done to the west. The people of the western states had a right to complain, and to complain loudly, that the circuit court system had never been extended to them. It must be admitted, however, that their representatives, in this and the other house, had, in a great degree, been the cause of this injustice. Whilst he had been a member of the house of representatives, he had exerted all his feeble powers, first under the lead of the gentleman from Massachusetts, (Mr. *Webster*), and afterwards as chairman of the judiciary committee, to do justice in this particular to the western states. Every effort had hitherto been in vain, chiefly for want of a cordial and united effort of the western gentlemen themselves.

Although no practical benefit has yet resulted from the repeated discussions of this subject, yet a great and important principle has been settled. At first, many gentlemen, whose opinions were entitled to great consideration, thought it best to detach the judges of the supreme court from circuit duties, and convert them into a mere court of appeals. He believed that very few, if any, now entertained such an opinion. The truth was, that no man can be a useful judge of the supreme court who has not an opportunity of acquiring a practical knowledge on the circuit of the conflicting and ever-varying laws of the different states. It is thus, and thus only, that he can bring with him to Washington and contribute his proportion of that sort of local state law which can never be acquired in any other manner. The judges of a mere appellate tribunal never could and never would acquire, by study alone a sufficient knowledge of twenty-four distinct and clashing systems of the state laws and customs.

It has been established, that our present judicial system shall not be abandoned. This being the case, no man can doubt but that it must be extended to the six western states. Nature herself has clearly divided these states into two circuits. The three south western states, Alabama, Mississippi and Louisiana, ought to form one circuit; and the three north western states, Indiana, Illinois and Missouri, the other. Before he sat down, he should make a motion to recommit the bill to the judiciary committee, with instructions to create those two circuits.

Mr. B. believed that the circuit, as proposed by the bill under consideration, was far too extensive. It was possible, indeed, that the judge might be able to travel over it, though the places of holding the courts were very remote from each other. But was there nothing more necessary? The judge must acquire an accurate knowledge of the laws of each of the states within his circuit. This was a work of time and labor. Every state in the union had its own system of laws, and these were constantly changing, according to the will of twenty-four distinct legislatures. If a judge were to be kept constantly on the road, he could never acquire the knowledge necessary to make him useful to the country. The proposed circuit was greatly too large. He would again repeat, that nature had already formed the two circuits in the west, which he should propose to establish. Alabama, Mississippi and Louisiana, were not more closely connected by their position, than they were in feeling and in interest. The same might be said of Indiana, Illinois and Missouri. He trusted the time had now arrived when these circuits might be formed. In order to try the sense of the senate upon the subject, he now moved,

"That the bill be recommitted to the committee on the judiciary, with instructions to amend the bill, to create two new circuits, the one to consist of the states of Louisiana, Alabama Mississippi, and the other of the states of Indiana, Illinois and Missouri."

Mr. *Clay* said he wished to make but one or two observations on the general subject, rather for the purpose of vindicating the general government than for any other particular object. A habit had been for some time indulged in of complaining of the great injustice done by the federal government in not measuring out to all the states alike those benefits which flowed from one common source. The complaint was that the circuit court jurisdiction was not extended to the new states. And what, he would ask, was the real state of the fact? With regard to Kentucky, she was admitted a member of the union in '92, and had not the benefit of a circuit court till 1807. Tennessee was admitted into the union about the same time, and was placed in the same situation. *They* did not complain of the great injustice done them. The real state of the fact was that the circuit court system was prevalent in all the old states. The whole extent of the complaint by the new states was this, that the same justice which was administered there by one judge only was administered in the old states by two.

Why, in most of the states a single judge conducted the criminal as well as the civil business of the court. In Kentucky, where the circuit system prevailed, there was but one judge, and he tried both civil and criminal cases. In Virginia, North Carolina and Ohio, they had what was formerly called a "buck-eye" judge, who sat on the bench with two judges, who were unlearned—not lawyers—and three constituted a court. Kentucky, too, had formerly a "buck-eye" judge, and he believed some other states had also.

It was right, he must admit, that all the states should be put on the same footing. He thought there should be two judges appointed. His principal object, however, in rising, was to vindicate the general government from this eternal complaint, the tendency of which was felt, and to be deplored; for all would rather bear of the good effects of the measures of the government. Several years ago, and during the administration of Mr. Adams, a bill was introduced into the other house to extend the circuit system to the new as well as the old states, and he believed it would have passed; but what was its fate? Gentlemen need only to look at the journal. He would merely state an historical fact—that it was defeated in the senate, and that, too, upon party grounds. The bill, as was said by the senator from Pennsylvania, was introduced again and again, from year to year, after that, and was again defeated by western gentlemen for some cause or other.

Now he (Mr. *Clay*) hoped with this state of the case, the senate and the country would be satisfied there had been no act of injustice intended by the general government towards the new states; that there was no intention to do manifest injustice to them or any other of the members of this union.

He was in favor of the bill; but he did not care, like the gentleman from Mississippi, (Mr. *Black*), which of the two plans proposed was adopted. But he was satisfied, from a conversation he had had with some gentlemen, that the middle circuit might be dispensed with entirely, and a considerable expense would be thus saved to the country. The facility of the intercourse between the four states which it was proposed to unite in one circuit—the similarity of their jurisprudence—the personal convenience of the judge—in short, all those considerations which should control the exercise of our judgment, conspired to recommend the plan proposed. Besides the utility of the measure, it was the imperative duty of congress to avail itself of the existing vacancy, in order that justice might be dispensed with an equal hand; to secure which it was indeed necessary that another judge should be appointed, as the new states were at present in want of an additional judge. He had no great objection—none, whatever, if he must express the truth—to increasing the number of United States supreme court judges to eight: in fact, he had no objection, if it was necessary to supply the wants of the new states, and those territories which would probably become states before long, to give as many as twelve. And his reasons for that were, that the supreme court of the United States was no ordinary court. It was not like the English courts; it was not like any other court upon earth; it was a high political tribunal, as well as a court of justice. It was invested with power to fix, to determine the constitution of the United States, in all those instances in which it was called upon to interpret that instrument. In cases of litigation, argued before that court, as, for instance, between A and B, in which a constitutional question was involved, it had to declare what was the meaning of the constitution. That tribunal possessed a vast power—a power too great for any tribunal, but it was found impossible to dispense with it. It was a power which he would not consent to remain in any court, however respectable it might be, if he could conceive of any other practicable mode of deciding such important questions as frequently came before it. There was no appeal from the decision of the supreme court—it was a court to which the last appeal only could be made: it was, in fact, a court invested with powers and authority transcending those which were possessed by the court of cassation—by the house of lords themselves, or any other tribunal known upon the habitable globe. If the supreme court were limited solely to questions of property, without drawing within the scope of its power high constitutional questions, then a smaller number of judges would be sufficient; but, as that was not the case, a greater number were necessary; and they should be drawn too, from all parts of the country, so that they might embody among them the feelings and sympathies of the people at large. He repeated he had no objection to increasing the number of judges; at the same time, he thought congress ought to avail itself of the services of the judge who had offered to perform the additional duties he had mentioned.

Mr. *Frelinghuysen* moved to amend the instructions to the committee by adding "and so to arrange the third and fourth circuits as to form on the whole eight circuits."

The yeas and nays were ordered on this amendment.

Mr. *King*, of Alabama, said that the senator from Kentucky had remarked that the western states were habitually complaining of the action of the general government. Alabama had, perhaps, complained less than some other states; and he (Mr. K.) would ask—did the honorable senator mean to say, that, when the new states had been so long represented in this senate, and that, too, without having the benefits of the circuit system extended to them, that they had no reason to complain? that they had no right to seek redress for their grievances? Surely he could not. Those states were fully justified in complaining, and they would continue to complain until they were put upon the same footing as other states. He thought that an additional judge would be sufficient. He trusted that the bill would be recommitted, without instructions; leaving it to the committee to arrange the circuits; because, if that were not done, a discussion might ensue, which, at that period of the session was to be deprecated: time being then so very precious.

Mr. *Clay* remarked, that the only question which the senate had to decide was, whether one judge, exercising the circuit court jurisdiction, could be usefully entrusted to try causes under $2,000, or whether two were necessary? But he must say, there was no crying injustice either felt or intended, as imputed in the course of the argument on this subject.

Mr. *Leigh* should concur in any plan that would extend the benefits of the circuit system to the new states. He entertained most fully the opinion that those states would derive great advantages from having a supreme court judge, as cases from the circuit court could be determined forthwith on the spot, instead of being sent to the supreme court at Washington.

The question was then taken on Mr. *Frelinghuysen's* amendment, and decided as follows:

YEAS—Messrs. Bell, Benton, Bibb, Black, Brown, Calhoun, Clay, Ewing, Frelinghuysen, Goldsborough, Grundy, Hendrick-, King, of Alabama, King, of Georgia, Knight, Linn, McKean, Mangum, Morris, Naudain, Porter, Prentiss, Preston, Robbins, Robinson, Silsbee, Smith, Southard, Swift, Tipton, Tomlinson, Waggaman, Webster, White—34.

NAYS—Messsrs. Buchanan, Clayton, Cuthbert, Hill, Kane, Kent, Leigh, Ruggles, Shepley, Tallmadge—10.

The bill was then recommitted with instructions.

HOUSE OF REPRESENTATIVES.

Wednesday, February 24, 1835.

The bill from the senate relative to the establishment of a judicial circuit in the United States, being presented by the chair—

Mr. *Foster* suggested to the house the consideration of the question, whether it was worth the while of the house to refer this bill to the committee on the judiciary, inasmuch as that committee had reported that it would be impossible for the house to act upon it during the present session. He moved to commit it to a committee of the whole on the state of the union.

Mr. *Beardsley* thought the bill too important to be acted on by the house without its first going through the investigation of a standing committee of the house.

Some conversation ensued between Messrs. *Foster*, *Mercer*, *Wilde*, *Thomas*, of Md. and *Clay*.

At the suggestion of Mr. *Clay*, Mr. *Foster* modified his motion so as to include the printing of the bill.

Mr. *Wilde* demanded the previous question, which motion was not, however, seconded by the house—ayes 68, noes 74.

Mr. *Coulter* could see no reason why there should be any departure, in this case, from the ordinary course. The bill was a most important one, involving the lives and properties of thousands, and he hoped the house would not divest it of those protective proceedings which the rules had thrown around every such measure. He was in favor of extending every privilege enjoyed by the old to the new states, but not at the expense of the former. New Jersey, Delaware and Maryland had increased in population, and ought not to be deprived of any of their rights and privileges, and he entered his protest against it. The bill proposed a manifest act of injustice and he trusted would undergo the strictest scrutiny in the standing committee of the house.

Mr. *Carmichael* remarked that the proposition of the chairman of the judiciary committee, (Mr. *Foster*), was hastening the communication of the measure which Mr. C. firmly believed would deprive the three states referred to of a portion of their just rights and privileges. The effect of it was to dispatch a judge, and not merely to merge a district. Its object was to sink the man named for the district of Maryland. Mr. C. was opposed to it because it was unjust, and more, because its design was not as expressed. He hoped the gentleman from Georgia would withdraw his motion.

Mr. *Clay* disavowed any personal feeling on the subject. When on the one hand, however, he was disposed to render strict justice to other parts of the union, he stood then as the representative of Alabama, and gentlemen must not expect him to abandon her interests.

Mr. *Garland* was convinced that the commitment of the bill to the judiciary committee would only tend to defeat or delay it. His only object was to secure the action of the house, on this all-important subject.

Mr. *Cage* adverted to the long withheld justice which this house owed to the new states. He moved the previous question, but withdrew it at the request of

Mr. *Foster*, who made explanatory remarks. He was surprised at the opposition which had been elicited by the simple motion which he had made. He avowed his intention of proposing certain amendments when the bill should come before the house. He then renewed, according to promise, the motion for the previous question.

[Here a discussion ensued on the nature of the previous question as applicable to the present case. Mr. *Speight* thought the previous question would be the passage, but the chair decided otherwise.]

Mr. *Cage* then withdrew the motion for the previous question.

Mr. *Thomas* again addressed the house. He viewed the bill in the light of an attempt to destroy one of the worthy citizens of Maryland. Justice had been denied to that state by the proceedings in this matter, and he demanded as one of her representatives, that it should be rendered to her. Mr. T. had protested at the early part of the session and subsequently, against acting upon this subject, because the facts were not fully in possession of the house, and he would appeal to the chairman of the judiciary committee to say if he was acquainted with all the circumstances involved, or had given the subject such an investigation as had put him in possession of the principles of the bill.

Mr. *Barringer* said, were it earlier in the session he would have no objection in gratifying the gentleman from Maryland, by committing this bill; but he was convinced it would be impracticable to obtain the action of the house by this course: New Jersey, Delaware and North Carolina had very little business, and Virginia not a great deal, and he was quite sure that the judges could perform the additional duties imposed under this bill. He was quite sure that neither the chief justice nor judge Baldwin would feel themselves unable to discharge the burdens under this bill. Mr. B. referred to what fell from one of the gentlemen from Maryland, that the advocates of the bill designed by it to destroy a distinguished citizen of Maryland, and Mr. B. disclaimed it for himself, and hoped such a suggestion would have no influence there or elsewhere. He supported the bill because he believed the measure it embraced was required by the wants of the new states. He was convinced there was no necessity for sending the bill to the judiciary committee, which would only postpone it till too late for action.

STATEMENT OF THE BANK OF THE UNITED STATES, FROM THE YEAR 1831 TO 1835, INCLUSIVE.

		Loans.	*Bills.*	*Totals.*	*Funds in Europe.*	*Specie.*	*Nett circulation.*
1835.	April 1.	37,173,747 75	22,926,468 96	60,100,216 71	Due to bank. 2,421,354 90	16,448,814 86	20,544,736 90
1834	" "	36,130,141 96	18,676,675 66	54,806,817 62	Due to bank. 2,255,090 76	10,180,608 76	17,521,264 39
1833.	" "	41,574,206 29	22,749,723 50	64,323,929 79	Due to bank. 3,942,019 53	9,001,661 93	18,033,205 40
1832.	" "	48,449,592 95	21,481,100 59	69,930,693 54	Due by bank. 1,687,565 79	7,029,310 61	21,360,465 00
1831.	" "	43,742,458 32	14,725,923 30	58,468,380 62	Due to bank. 180,339 86	12,485,609 61	18,238,492 00

The preceding shews a wonderful degree of strength—the present circulation is 20,544,736, and the specie amounts to the enormous sum of $16,448,814! What a contrast does this afford when compared with the condition of some of the state "rag-shops?"—seventy-five cents in specie on hand for every dollar in circulation—and yet the circulation is very large!

It may be observed, however, that the *regular* discounts exceed those of the *last*, or "panic" year, only in a million of dollars—but that the "bills" are upwards of four millions more—greater than at any former period. The policy of this measure is manifest—it is to get, and to hold, the funds of the bank in a condition to be collected more readily—as the bills are payable at their maturity; and a Fayetteville paper of the 7th says:

"The bank of the United States has commenced the delicate and unpleasant duty of winding up the affairs of its office in this town. The reception of the order to that effect, on Tuesday last, produced quite a sensation, almost amounting to a panic. But it soon subsided, when it was understood that the order only contemplated the refusal to make any new discounts, and the very gradual reduction of the existing debt. Some inquiry into the subject has led us to the conclusion, that no embarrassment will grow out of the winding up of the office, other than the withdrawal of the great facilities which it has afforded to all parts of the state in the fiscal operations of the people. The debt is not large, and is scattered over the whole state, and its very gradual extinction, which it is the object of this early commencement to make, will ensure its safety, and the convenience of the public."

The fact is, that money is, at present, very *plentiful;* and the bank, (like all other banks or individuals), takes advantage of it, while preparing itself for the state of things whenever money becomes *scarce:* and we shall not be surprised, if, by this time next year, a greater sum is discounted on bills than in the regular way; as it will thus keep its funds at command.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

It will be recollected that, (at the very heel of the session), Mr. *Barry* sent into the house of representatives an exposition, by way of "an appeal to the people," on certain affairs of the post office department. We did not publish this paper, because that we had not noticed the things to which it was a replication: but these cases being met by Mr. *Whittlesey*, in his rejoinder, we give them a place together.

—

We give a page, or so, of matter consisting of extracts from the sayings and doings of *the* "democratic party"—(*both* the Wolfites and Muhlenbergers being of *that* party) of *Pennsylvania*, that all persons may see what is going on. How gentle and lamb-like do they speak of each other!—how do their representations of the *same* things correspond!—how sweetly do they agree in facts! We know not who is to blame for the *breach* that has happened; but the developments that have been made, or are making, are equally disgraceful and disgusting. We have "followed copy" in the use of *italics*, &c.

"They have," as the *Lancaster Journal* says, "raised the devil, and it will take wiser heads and better hearts to lay him."

—

We insert a large "lot" of articles about rail roads and canals, &c. *by way of a specimen of what is doing!* It is very imperfect—being the result only of about two weeks gathering of scraps; but will be sufficient to shew the gigantic works that are contemplated or in operation. Verily, the "spirit of improvement" is abroad! Some of the items notice things of "mighty" importance, and will change the very nature of "circumstance and *time*." As we have before said, distances will not be measured by *miles*, but by *hours* and *minutes*. "It is ten hours to such a place, or 49 minutes to another!" We only hope that we shall not overstep our capacity to do all the good that is desired. Great consequences will result from the canal to tide, on the Susquehannah—it will *soon* double the productions of its vast valley, brought to market; and the rail road from New York towards Lake Erie, (which will surely be undertaken and finally finished), have a serious effect on the affairs of our country, and the relative condition of the states.

—

The mayor of *Baltimore* has *vetoed* the resolution of the city councils which makes the rails laid down perpetual, and says—

"It is unnecessary for me to state that a resolution declaring that it is improper and inexpedient *at the present time* to remove the railways from our streets, is entirely a different matter from the resolution before me, which provides that they shall be permanent and not liable to be removed; the first being a mere expression that it ought not to be done under present circumstances, and the latter being an abandonment of an important part of the contract under which the railways were laid in our streets."

He is not in favor of the removal of them at present, and adds—

"I wish it to be clearly and distinctly understood that it is my decided opinion that the rail road tracks ought not to be removed from our streets except for the strongest and most imperative reasons, and then only in consequence of a direct decision by the people upon the subject having been fully submitted to them at an election; but if I am thus clear in my opinion that the rights reserved by the 10th section of the ordinance ought not to be exercised except in the manner above stated, I am equally decided that they should not forever be abandoned, previous to the clearest possible expression by a majority of our fellow citizens in favor of such an abandonment."

The great difficulty is in this—*that it leaves the question open to continued agitation by those interested*, and, certainly, *forbids* improvements by the rail road companies in the eastern part of the city—which it is very desirable should be made. As an instance—the very valuable property which belongs to the city, called the "City Block" (a large space that has been rescued from the water of the basin), must remain unoccupied, so long as this state of things endures, though capable of paying pretty nearly the city's debt, or its interest, if rightfully used! So much for the public loss—and the private interests affected are not less important: for what no one thought probable a short time ago, is possible to the future—and no one will risk his money on an uncertainty. The outcry of a "monopoly,"* *even by those most benefited*, would accomplish much, and render investments in improvements insecure.

—

The *Chesapeake and Ohio canal company* have unanimously accepted the loan offered by the state of Maryland, saying—

"In conclusion, they cannot but congratulate the stockholders and the community upon the prospects which the act of Maryland affords of speedily realizing the sanguine anticipations in which they have long indulged for the completion of this great work of internal improvement:"

So also have the stockholders of the *Baltimore and Susquehannah rail road* accepted the law, *unanimously*.

—

Sales in the stock of the *Canton* company, (the proprietors of a large tract of land adjoining *Baltimore*), has been sold at Boston and New York, at from 165 to 170 dollars per share, for about 54 paid. It is chiefly owned in the cities named.

The "Baltimore Chronicle" of yesterday says—Sales of the stock of this company were made on Saturday last, in Boston, at $157, and in New York, on Wednesday last, at $200 per share.

—

Concerning the election in *Rhode Island* we have the following—

The Providence Journal of Saturday, whig paper, makes the majority of governor Francis (J.) 90; while the Newport Mercury, Jackson paper, makes it 124.

Both papers agree that there is a whig majority of 2 in the house of representatives: in other words, the house consists of 37 whigs and 35 Jackson men. In regard to the senate, the Journal says, "we still abide by the belief that the whig senate is elected." The Mercury says, "the present senate are probably re-elected by a very small majority." It is doubtful whether this question will be positively determined until the meeting of the legislature.

[It is suggested that the votes given to the *anti-masonic* candidate for governor, will prevent a choice.]

The following rather unpalatable pill, is administered by a letter writer of the Boston Courier, who dates from Providence the 18th inst.

"Here, with every thing at our command, and with the ability to succeed, we have suffered shame and disgrace, because many of our party stopped by the roadside to quarrel about masonry, anti-masonry, anti slavery, anti brandy, gin and cold water, orthodoxy, heterodoxy, Fanny Wright, Beelzebub, and rail roads. *Thus we quarrelled, split and divided—the well organized forces of the administration marched up in the mean time and carried all before them.* We have thus lost our senator, and the state beside, and thus, with tears in my eyes and wormwood in my gizzard, do I 'curse and quit, the Rhode Island election for April, 1835;' give me my hat—I want to go home. Yours very truly."

[Rhode Island is *not* alone in such "quarrels and splits"—and such marchings direct to the polls.]

The "Providence Journal" of the 20th inst. however says—

"We have now received returns of the senatorial prox from most of the towns in the states, and are well satisfied that the whig lieut. governor, and at least seven, probably all the senate are elected, some by greater, and others by very small majorities."

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*At a recent and very large meeting of the democracy of the Northern Liberties of Philadelphia, the following resolution was unanimously adopted:

Resolved, That we disapprove of *all* monopolies and exclusive privileges, as inconsistent with the principles of justice and democracy—and we recommend a united effort of the democratic party for effecting their total extinction.

☞-This is the cant and slang of the day.

And, in a subsequent paragraph the editors regard the election as a "*fortunate triumph;*" and say that "our friends in the country are entitled to the profoundest gratitude of the American people," "for *establishing* the senate"—as they wish that it should be; for the things stated shew that the whigs have a majority in both houses—the senate consisting of ten members. We shall see—*Nous verrons!*

But the Providence Daily News of Tuesday, (a Jackson paper) says—"We are now enabled to state with certainty, that the late election has resulted in the choice of gov. Francis, and a large portion of the Jackson senate. It will be impossible, we believe, to give the exact majorities received by the senators elected until the meeting of the assembly in May.

The heavy losses sustained at Providence and Bristol, is much complained of by the editors of the "Journal."

—

The following is the exact result of the late election in *Connecticut*:

For governor,	
Edwards, (Jackson), - - - - -	21,688
Foot, (whig), - - - - -	19,243
Edward's majority,	2,240
The legislature will stand thus:	
In the senate, (Jackson), - - -	16
(whig), - - - -	5
In the house, (Jackson), - - -	126
(whig), - - -	80

—

The "Hartford Times," with relation to the late election, says—

The small bills will be supressed in a few months, for one of the first acts of the legislature will be to that effect. A majority of the members are of the true faith, and though the monopolists will resist, it will not avail them. The bills are short lived.

—

At the recent election in *New York* there was no opposition to Mr. *Lawrence*, as mayor of the city; and not much on any other account, except as to the supply of wholesome water, which the late boards provided for. This great object has been sustained—and the *Croton* river will flow into New York, at the cost of about *five millions* of dollars; a sum which is of no consideration compared with the advantages to be gained by such a noble proceeding. The aqueduct, or pipes, will be about 40 miles long. The glory of this work belongs to the late boards of aldermen and assistant aldermen.

The votes taken in the last election was only 29,024—35,124 in the last year; and, politically speaking, it appears that each board is composed of 4 whigs and 11 Jackson men. If however we leave out of the account the names which were on both tickets, the board of aldermen will stand. Whigs 4, Jackson men 8.

Every ward except the 9th, 10th and 13th gave a majority for the supply of water. There were 17,330 yeas and 5,963 nays, in the whole city.

—

The legislature of *Pennsylvania* adjourned on Wednesday last, after a session of 132 days, during which were passed 186 bills, and 29 resolutions.

Their most important proceedings, were—

The incorporation of a company to make a canal connecting those of Pennsylvania with the great Ohio canal; and

To make a canal from Columbia to the Maryland canal, or to the tide of the Susquehannah.

—

It appears that, thus far, the house of delegates of *Virginia* stands—29 administration and 23 opposition. The same counties, last year, returned the same numbers for either side, with the exception of Henrico—which, if successfully disputed, will make the whig gain 8, and the administration 7—at present, it is 8 administration and 7 opposition. In this estimate is included, (on the whig side) the two members from Loudoun who, under instructions, voted against Mr. Leigh last winter, and will, so far as it regards that matter, add 2 to the whig gain. Such *seems* to be the state of the case—at present.

Some of the counties have been gained or lost by very small majorities.

There is great difficulty in making up the returns for members of congress; but, contrary to original appearances, it is probable that the administration party will have a majority of them.

City register's office—Baltimore 16th April. Amount of inspections in the city of Baltimore during the last quarter, ending the 1st inst. exclusive of those returned to the state, viz:

129,128	barrels and 4,202 half barrels	wheat flour.
1,016	do.	rye do.
181	hhds. and 979 barrels	corn meal.
1,712	kegs	butter.
14,186	do.	lard.
217	barrels and 157 half barrels	Balt. packed beef.
37	do.	foreign do. do.
2,112	do.	do. do. pork.
113	do.	Balt. do. do.
1,577	casks flax seed.	

EM'L. KENT, *register.*

—

The Charleston "Mercury," the organ of the prevailing party in *South Carolina*, has come out broadly for judge *White*, for the presidency, as the lesser evil—in the estimation of the editor; and says "let us improve the side wind that is blowing."

—

A dreadful fire happened in *St. Louis* in the night of the 6th inst. A large livery stable was consumed, *together with fifty-one horses.* Others were let loose, wild with agony and fright, "their manes on fire, and presented a terrifying spectacle: to relieve them from suffering, they were shot down."

The old Catholic church, which is used as a warehouse, was also consumed, and with it about 100 crates of queensware and glass.

—

The "Cincinnati Journal" has a statement shewing that the Roman Catholics in the United States have *sixty* public seminaries of learning—of which 28 are, exclusively, under charge of 136 "sisters of charity." Others under the rule of "sisters of the visitation," the Ursulines, the nuns of St. Dominic, the ladies of the sacred heart, the sisters of Loretto, the Carmelites, sisters of our lady of mercy, &c. &c. These are chiefly for females. Very many of those taught are Protestants. In the *amount* of the schools there is nothing "alarming;" and if the people *will* send their children to them, they have perfect liberty to do so. Let not the nuns be abused for their "zeal to make converts"—but, *if any body*, their parents and guardians.

The *Steubenville Herald* says—

We wonder if our old friend Niles knows what a flourishing place the town of Niles, in the Michigan territory, has become? If not we would advise him to inquire. We understand that the *name* has no little influence in attracting to it a highly respectable population.

☞The editor is Mr. *Wilson's* debtor for the kind expressions used concerning him—which are natural enough, considering that the parties have known, and firmly esteemed, one another for *thirty years* and upwards—the period of a generation of men! He has heard, and with great pleasure, that the town of "Niles," in Michigan territory, is in a very prosperous condition, and inhabited by a highly respected population—but must believe that his "*name*" has not much to do with this matter; and that it is *more* owing to its own happy location, and the spirit of enterprise that belongs to its worthy inhabitants!

"A rose by any other name would smell as sweet!"

—

A great "drawing room" was held in honor of the British queen's birth day—and "her majesty" was dressed in *English* and *Irish* manufactures, and "her royal highness, the duchess of Kent," (mother of the heir of the throne), dressed in *English* and *Scotch.* The lord chancellor of Great Britain, it will be recollected, sits on a *woolsack.* Such things, however, are beneath the attention of the American people! They, nobly, prefer *foreign* fabrics—even for the decorations of the president's house.

—

John Sudam, esq. a distinguished member of the senate of New York, died at Albany on the 13th April.

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It appears by the "Globe" that, from the 1st of January to the 1st April, the gold and silver imported amounted to 3,531,176, and exported to 811,170; excess of imports $2,720,706.

The acting governor of Michigan, Mr. Stevens T. Mason, addressed a letter on the 2d inst. to gov. Lucas, of Ohio, proposing sundry things, which was delivered to him at Perrysburg, Ohio, where he was met, surrounded by many of his officers, civil and military; but regarding the letter as one of "menaces and threats," he declined answering it. He said, however, that "thus far the proceedings on the part of Ohio had been entirely pacific. No military force had yet been called out, and that none would be unless the authority of Ohio should be forcibly resisted on the disputed ground; and that then a force would be called out, *and he assured Michigan it should be an effectual force.*" That, as to the United States commissioners, "he had no idea that any commissioners had been or would be appointed. That the course had been resolved on by the president, upon an erroneous and exparte presentation of the facts; that he had written to the president giving a true statement of the proceedings of Ohio, and he had no doubt it would induce the United States government to desist from any interference in the controversy. But that if commissioners should be appointed by the United States government, it would not alter the course of Ohio one jot or one tittle; that they had not and could not have any right or authority to interfere. But if they meant to act as mediators it was utterly useless; that Ohio had determined on her course, and had passed a law accordingly, and that law could not be repealed or its operation suspended, except by the same power that enacted it. That it was his duty to see that law carried into effect, and he should regard it as an act of executive encroachment, on his part, to attempt to delay or suspend its execution."

And he remarked "that there was no man whose judgment he respected more than gen. Jackson's, and for whose opinion he would pay more regard; but that if gen. Jackson's view of this controversy differed from his, he could not allow it to influence him. That he owed a duty to Ohio which was paramount to all other considerations; that if the guardian of Michigan chose to espouse her cause, it would not alter the course of Ohio."

The governor *will* proceed in the survey—and if insisted, will resist; being prepared for it.

The Cincinnati Gazette, says—"We apprehend Ohio recognises no right, in the attorney general of the *U. States*, to put forth an opinion prejudicial to her claims. It is an improper interference—an intermeddling which should not be allowed to pass without rebuke. If it is true, as the Detroit editor asserts, that the president and vice president, and all the cabinet, are against Ohio, it cannot be proper for them, in the present state of the case, to obtrude their opinions upon the public. The question belongs to the judiciary and not the executive. The latter cannot be justified in anticipating the decision of the former."

The inhabitants of the disputed territory are decidedly in favor of belonging to Ohio.

The following is an extract of a letter published in the Buffalo Advertiser, and dated at Monroe, (Michigan), April 4th:

"Yesterday, a serious riot took place at Toledo, upon the disputed ground, and the rioters were arrested by our sheriff, by virtue of process from our Michigan courts; but the rioters were rescued out of the custody of our sheriff by the Ohio disorganizers, and they immediately went before the Ohio magistrates and plead guilty to the charge. To-morrow our sheriff again goes there, with the posse of the county, to retake the prisoners and their rescuers, which will, in all probability, bring the military into collision on both sides.

The Cleveland Whig says—It is believed that an U. S. officer passed through this place two or three days since, towards the scene of action; but in what capacity—whether as commissioner on behalf of the general government—a military commander, or with a commission in his pocket as governor of the territory, is not known. It is not improbable that the president will consider himself bound to protect the territory, without reference to the merits of the main question. But we are slow to believe that under the circumstances as they exist, he will authorise any hostile measures to prevent the execution of the law of Ohio referred to, so long as the private rights of the people of the territory are not invaded. As it would seem that there is no necessity for such an invasion, we shall yet hope that the matter will be compromised in a manner satisfactory and honorable to all.

The "Pittsburgh Advocate" says—

It seems that the commissioners appointed by the president to act as mediators between Michigan and Ohio have had an interview with governors Lucas and Mason, and that their mission has been unsuccessful, governor Lucas having refused to defer the survey of the northern boundary, and declaring that he would not yield one jot or tittle to the solicitations of the commissioners. Some difficulties have already occured on the border. We are informed says the Detroit Journal, that the sheriff of Monroe and some of his deputies have been arrested in the discharge of their duties, by the authorities of Ohio, and carried to Toledo. A good deal of excitement prevails at Monroe, and a serious conflict is apprehended.

☞-We have accounts from Perrysburg, Ohio, (on the borders of the disputed ground), of the 14th inst. stating the arrest, (under very aggravating circumstances), of certain citizens of Toledo, by the authorities of Michigan; and that the sheriff had, with his *posse* of 200 men, again entered the town for the purpose of making arrests—but the effort proved unsuccessful, the persons having fled.

But the "Zanesville Republican" of the 18th says—

"The war respecting the disputed territory between Ohio and Michigan is over without bloodshed. The people went on to elect their township officers on the 6th instant, in conformity with the laws of Ohio, without molestation, and the commissioners are progressing with the survey of the line. The military movements on the part of Michigan have been suspended, and the dispute will no doubt be settled by the next session of congress."

—

The United States Gazette of Saturday says—

While the train of cars were on the route yesterday, on the Camden and Amboy rail road from the city, it was discovered, about five miles from Bordentown, that the baggage car was on fire. The discovery was made by the man riding as a guard on the car. On stopping the train, it was found that fire was in the lower part of the "crate,' and that several trunks were burning, and before it was quenched, considerable injury was done. On inquiry as to the cause of the fire, we learned that it was not probable that any had been communicated from the engine. One passenger on putting his trunk on board, expressed great anxiety that it should be handled carefully, as "it contained glass." It is believed that it contained some liquid highly inflammable, which was brought in contact with the atmospheric air by the agitation of the car, or the removal of the trunk from the boat.

The greater part of the baggage was swiftly consumed, and also the mail from Philadelphia. The loss of baggage is heavy—perhaps 6 or 7,000 dollars. Many were unfortunate enough not to save a change of apparel, and others had money and other valuables in their trunks. The agent of the company is said to have done all that could be done, under the circumstances; but the "crate" was capsized, and fell bottom upwards, and water was exceedingly scarce. A large quantity of jewelry narrowly escaped destruction. One lady had diamonds worth 3,000 dollars.

—

The Bridgeport Farmer states that one of the lions belonging to the Zoological Institute in that city, was killed by a leopard which was kept in the same cage at Norwalk, on Saturday last. The loss is less to be regretted, as the institute have several, including some young ones born in this country. The place of the deceased Rhinoceros (valued at 8,000 dollars) has been supplied.

—

Raw silk, as we learn from the Burlington Free Press, has been produced this year in Mansfield, Conn. to the amount of over $60,000. The county of Windham, Connecticut, produces five tons of silk annually valued at $500,000, and if reeled, would be worth double that sum.

—

The Dissenters of England have gained a very considerable triumph. The bill which sir Robert Peel has proposed relative to Dissenters' marriages, is one that fully relieves them from all chance of offence towards the conscientious scruples they entertain. The plan of the bill is to enable them to marry on going before a

magistrate, and there, according to certain forms, declaring that they are Dissenters from the church of England, and that they desire to contract marriage with each other. The magistrate is then to record this contract, and to send it properly authenticated, to the clergyman of the parish, who is to register it among the marriages celebrated in the church. The contract thus entered into will be completely binding as a civil contract.

A DELIGHTFUL CLIMATE. The Quebec Gazettee of March 30, says "the season is still cold, and we have experienced repeated snow falls within the last ten days. The snow in the woods is 5 feet deep, and about houses and on the roads has been driven sometimes 15 to 20 and even 30 feet deep. As soon as the milder weather commences the roads will be impassable, and the rivers swell and overflow their banks."

The cause of sir *Edward Sugden's* sudden resignation of the chancellorship of Ireland, is thus stated—

"The countess of Haddington, the wife of the lord lieutenant, caused an intimation to be officially given by her chamberlain, that she would not receive at the vice regal court any lady who was not eligible to be presented at St James'. It seems that sir Edward Sugden applied this objection to his own lady, and immediately sent in his resignation. We regret the circumstance extremely. Sir Edward Sugden is a most distinguished lawyer—during the very short time that he sat as chancellor in Ireland, he has acquired the confidence of every body, not only by his legal learning, but by his judicial ability, his patience, and his assiduity. We regret it, on account of his lady, to whom this hasty ebullition of feeling has attracted universal attention. The fact that lady Sugden had not always been the wife of sir Edward Sugden was known among the members of his profession, but not to the world at large. Since she has been the wife of sir Edward Sugden, her ladyship has been exceedingly well spoken of, and it always has been understood that she has performed her duties as a mother, in the most exemplary manner. For the sake of the lady herself, therefore, we regret a hasty determination that must necessarily make her early unsanctioned connection with sir Edward the subject of town talk. Why need sir Edward have gone to the vice regal court on any occasion when official business or etiquette did not absolutely require his presence there?—and if he had stayed away at all other times, the absence of his wife might have passed unnoticed, or been remarked only by a few. The countess of Haddington is perfectly free from blame in this matter. The rule which, for the sake of married life, court etiquette has established, she had no option, either as a woman or as the wife of her sovereign's representative, but to obey. The queen would not have broken through the rule, and the countess of Haddington was therefore bound to the strictest observance of it. Sir Edward Sugden should have considered the matter before he accepted the office, or should not have noticed it afterwards. There are rumors that lord Abinger is to be the new lord chancellor of Ireland, and that sir Edward Sugden is to succeed him in the exchequer. Lord Abinger makes a good judge in equity, because when at the bar he was frequently employed in great equity cases; he would, therefore, well supply sir Edward Sugden's place in Ireland; sir Edward Sugden has declined all right to the usual retiring pension.

Mr. O'Connell has been accused by Mr. Shaw, of Dublin, of having threatened David Murphy, if he voted for the knight of Kerry, (which he did) he should feel the consequence; the night after, M's house was attacked and broken into. The facts were about to be investigated by parliament.

It is stated that the pope is to visit *Ireland* on the 7th of June, ensuing. We think it is doubtful if such be the fact. One of the popes visited Germany in the reign of Joseph II, on a particular emergency; but none have left Rome, or its neighborhood, since that period, we believe, except the late pope, who was "translated" to Paris, by Napoleon.

Madame *Tallien*, princess de Chimay, who was one of the most elegant women that ever lived—and most profligate of the revolution in France, is lately deceased.

The British authorities at Sydney (New South Wales), have despatched a military force to New Zealand to punish the natives, for having killed and *eaten* 12 men belonging to a vessel wrecked on the west.

The NATIONAL CALLENDER *and annals of the United States for* 1835, by *Peter Force*, has just appeared, and is for sale at Messrs. E. J. Coale & Co. It is a work of the greatest utility, neatly got up, and copious in its details; the very thing indeed, that we want for familiar reference. It is to the United States what *Williams' Register* is to New York—and both are as near perfection as—"can be expected."

RAIL ROADS, CANALS, &c.

Columbia rail road—We learn from the Philadelphia Commercial List, that "the average number of cars in the train of the locomotives, on this road is, 38 up and 38 down, daily. In one day, last week, 152,266 lbs. of merchandise, or upwards of *sixty six tons*, passed westward on this road. The same paper also states, that during last week 15,000 bbls. of flour arrived in Philadelphia by the Pennsylvania and Schuylkill canals, and 968 bbls. by the rail road.

Fifty two cabin passengers sailed in the packet ship Independence on the 8th instant, for Liverpool. This is said to be the largest number of cabin passengers that ever embarked from New York to Liverpool, in one vessel. The whole room between decks, from the cabin to the forward hatch-way, was fitted up with state rooms, in order to accommodate this unusual number.

Pennsylvania canal—We see by the Philadelphia Commercial List, that on the 2d instant, 12 boats, containing upwards of *two hundred and sixty-five tons of freight*, cleared from the Fairmount locks for Pittsburgh.

By the same paper we learn that there were transported from Philadelphia, *by the rail road*, during the week ending on Thursday last,

Dry goods, hardware, glass and queensware	652,945 lbs.
Groceries	221,345 "
Coals	30 tons.

Accuracy—It is stated in the New York American that such has been the accuracy of judge Wright's survey of a route for the Erie rail road, that on arriving at lake Erie, after viewing a line of 483 miles, the result of the levels varied from the previously ascertained elevation of the lake, less than twelve inches. This gentleman was the engineer of the Erie canal, selected by De Witt Clinton.

From the Baltimore Gazette, April 10—Revenue and returns of the Baltimore and Ohio rail road, for the month of March, 1835.

Commodities received from the westward, and delivered in Baltimore, viz:

	tons.	*cwt.*	*qr.*	*lbs.*
34,410 barrels of flour, weighing	3,318	19	2	21
5,078 bushels meal	113	7	1	
6,915 do. grain	167	5	2	14
Live stock and provisions	14	15		7
146 barrels whiskey	20	18	1	21
25 hogsheads tobacco	9	4		
Granite and lime	291	3	2	
Lumber, plank, firewood, &c.	462	5	2	
496,755 lbs. iron and castings	221	15	1	7
58,289 do. leather	26	0	1	21
Miscellaneous articles	168	8		21
Total	4,814	3		

Producing a revenue of $11,830 94.

Commodities forwarded from Baltimore westwardly, viz:

	tons.	*cwt.*
4,192,272 lbs. dry goods, groceries, furniture and commodities generally, or	1,871	11

Producing a revenue of $4,681 43

Passengers conveyed, viz:
4,969 passengers, &c. producing a revenue of $6,653 62

Total revenue for March, 1835, viz:

From tonnage—Eastwardly	$11,830 94	
Westwardly	4,681 43	
		$16,512 37
From passengers		6,653 62
Total		$23,165 99

Comparative revenue.

For March, 1832	$13,706 55
" do. 1833	15,058 27
" do. 1834	15,043 41
" do. 1835	23,165 99

Columbia, (Pa.) April 10—The business on the Susquehannah has been very brisk the past week. Arks and rafts, with lumber, coal, whiskey, flour, &c. have passed us in great numbers, and our shore is completely lined with them. We do not recollect that we have ever seen a season of more life and business on the river.

Pittsburgh, April 8—We were informed, yesterday, by a respectable merchant of this city, that goods from Philadelphia, by way of the Columbia rail road and Pennsylvania canal, arrived here within 6½ and 7 days after shipment, and that some lots, which were destined for Louisville, arrived at that place within three days thereafter, making only 10 days from Philadelphia to Louisville!!! Comment is unnecessary. This serves to show what can be done. [*Advocate.*

The directors of the *Welland canal*, in Canada, say in their recent annual report:

"It may not be generally known, that it requires a canal of only 27 miles to connect the ocean with lake Ontario—28 miles to connect lake Ontario with lake Erie, and 92 miles to connect lake Michigan with Illinois river, (the summit of which is but 27 miles) requiring only artificial ship or steam navigation of 147 miles to connect the gulfs of Mexico and St. Lawrence through the interior of this continent."

Mr. Stephenson the celebrated engineer, says he will not be satisfied until the journey from Liverpool to London is made in two hours, being at the rate of a hundred and four miles an hour! He has already travelled forty.

The government of *Cuba* have obtained in London, a loan of £450,000, for the purpose of constructing a rail road from the city of Havana to the town of Gunies. This loan was issued at 91 per cent., the capital bearing interest at 6 per cent. per annum, from the 5th of March next.

The Susquehannah—The Owego steamboat is nearly ready to run. Messrs. Platt & Ely, a wealthy and respectable house of that village, say that they will contract and enter into bonds with the most ample security, to open a good and sufficient channel for a steam navigation, at the lowest time of water, from the New York line to Wilkesbarre, for the sum of 20,000 dollars, and that they will keep such channel open and in good navigable condition for five or ten years, at $5,000 a year.

An extensive furnace and manufacturing establishment at Buffalo, have made arrangements to purchase 2,000 tons of coal to be delivered at Owego this season.

This is a specimen of the business which the construction of the Ithaca and Owego rail road has already been the means of creating. [*Albany Daily Advertiser.*

Schuylkill canal—During the week ending April the 7th, 1834, the amount of toll received on this valuable work was $2,191 68. During the present season the canal opened on the 17th of March, and the receipts of the toll for the week ending the 3d inst. amount to $9,722 04, or more than FOUR TIMES as much as during the same period of the preceding year.

[*Philadelphia Commercial Herald.*

Union canal—This important link in our great chain of internal improvements, opened for the season on the 19th ult. and is now in excellent navigable order. The best evidence that we can furnish of the prosperity of this work, is to state that during the week ending the 31st instant, the amount of toll received was $4,526 65. [*Ibid.*

Schuylkill coal trade—The business season has commenced with great activity. We learn from the Miner's Journal that during the week ending the 3d inst. 119 boats, laden with 5,933 tons, cleared at Pottsville and Schuylkill Haven. From the Little Schuylkill, 24 boats, carrying 952 tons. Total this season, 171 boats, and 8,169 tons of coal. [*Ibid.*

Progress of enterprise—A steam boat is building for the New Haven line, which is expected to accomplish the distance between that city and this in five hours. Such a boat starting from New Haven at 6 o'clock, A. M. and leaving New York at 3 P. M. on her return, would give her passengers four hours for business here, and put them back where she found them—all in one day, without trespassing upon their usual hours of sleep. Furthermore, should a rail road be constructed from New Haven to Worcester, passengers leaving here at 6 o'clock in the morning, might arrive in Boston by 6 o'clock in the afternoon of the same day. [*N. Y. Jour. Com.*

The first engine has been placed on the London and Greenwich railway, preparatory to the Easter fair; about 30 dollars per day has been received for penny passengers alone by the *foot path* to Greenwich.

The *American*, speaking of the Baltimore and Washington rail road, says—The accomplishment of this work will bring the two cities into a very intimate intercourse, reciprocally beneficial. The trip will no doubt be regularly performed within two hours, and will afford a most delightful excursion—hundreds will daily avail of it, and we doubt not but that the commercial, as well as social relations of both cities, will be greatly promoted. Indeed the whole union has a deep interest in the work; and we venture to predict that the day is not distant when travellers leaving Washington in the morning will dine in Philadelphia and arrive the same evening in New York.

[This road will be finished in the ensuing summer—but not so soon as was expected, owing to the severity of the late winter.]

The *Norfolk Herald* says—All is complete to the Nottoway, except the laying down of the iron rails, which is progressing at the rate of a mile a day, and the road will be ready for the passage of cars to that river by the first of May, when 42 miles will have been finished. The bridge across the Nottoway is nearly completed.

Charleston, S. C. April 4—The increasing travel and transportation on our rail road, since the commencement of the present year, have exceeded the most sanguine expectations of its projectors and those who have been its steady friends through good und evil report. The actual receipts furnish the best criterion of its prosperity, and such is the increasing business of the road—so beneficial has it been found in the extension of the business of Charleston, that it is intended to augment the power employed on it greatly beyond its present amount, by the commencement of the ensuing fall business.—We have transcribed from the books of the office a comparative view of the receipts of the road for the first three months of the years 1834 and 1835.

1834.		1835.	
January,	$4,229	January,	$13,290
February,	8,174	February,	14,875
March,	11,988	March	17,459
	$24,391		$45,624

It will be seen from the above comparison that the receipts for the first 3 months of the present year are nearly double what they were in the corresponding 3 months of the year 1834. This is exclusive of the amount received for carrying the mails.

The number of passengers (exclusive of those in the company's service) from the 1st of April, 1834, to the 1st of April, 1835, has been *twenty-nine thousand two hundred and forty-eight.*

[This rail road is about 135 miles long.]

The New York canals—The sums collected upon the several canals for tolls during the year ending on the first of Jan. 1835, are as follows, viz:

Tolls of the Erie canal	$1,179,744 97
" Champlain canal	115,211 89
" Oswego canal	22,168 62
" Cayuga and Seneca canal	18,130 43
" Chemung canal	3,378 05
" Crooked Lake canal	1,373 40
Total	$1,340,106 76

The Erie canal was finished in the fall of 1825. In 1826 this canal was navigable from Albany to Buffalo, and the tolls for that year amounted to the sum of $677,466 75, being less by $602,278 22, than the amount collected in 1834. The following statement exhibits the increase in some of the principal commodities transported on the canal, comparing 1826 with 1834, viz:

	1826.	1834.	*Increase.*
Flour, bbls	372,144	1,157,059	784,910
Wool, tons	100	556	456
Sawed lumber, feet	15,795,395	38,290,991	22,495,596
Timber, C feet	150,512	1,522,637	1,372,525
Merchandise, tons	23,986	70,372	46,386

In 1834 the tonnage arrived at and cleared from Albany and Troy, on both canals, was equal to 668,433 tons, of 2,000 pounds each, viz:

Passing from tide water.

Cleared at Albany	58,136 tons.	
" Troy	56,472 "	
		114,608 tons.

Passing towards tide water.

Arrived at Albany	316,521 tons.	
" Troy	237,354 "	
		553,825 "
Total tonnage, ascending and descending on the Erie and Champlain canals, in 1834		668,433 "
Do. do. do. in 1826		337,605 "
Increase in 8 years		330,828 "

The down freight on the canals has nearly doubled in eight years, and the up freight has more than trebled in the same time.

The report contains a statement of the quantity and value in market of the various articles which have arrived at tide water, on both canals, in 1834. The total value is estimated at $13,405,022

The value of commodities brought down the canal to Schenectady and over the rail road, is 545,577

Total $13,950,599

If to this sum is added the value of articles arriving at the junction of the canals and passing north, and which articles are not embraced in the statistical table kept at West Troy, the total value of the products brought down the canals to tide water during the last season, may be estimated at more than *fourteen millions of dollars.*

Of the aggregate value of property coming to market, wheat, flour and coarse grain, make up more than	$6,000,000
Lumber and the products of the forest	2,800,000
Butter, cheese and provisions	1,140,000
Ashes	564,000
Wool	446,000
Domestic spirits	300,000
Iron, nails, &c	250,000
Tobacco	87,000
Clover and grass seed	78,000
Flax seed	56,000
	$11,721,000

The residue of the estimated value of property coming to tide water on the canals, is made up of cotton, woollen and other domestic manufactures, of a great variety of non-enumerated articles, and of others which are enumerated, but for which enumeration we have not room at this time.

Among the commodities coming down the Champlain canal, during the last season, there were 210 tons of copperas and 304

tons of manganese. These articles came from the state of Vermont.

The whole amount of tonnage arriving at and passing Whitehall on the Champlain canal, to and from tide water, during the last season of navigation, was as follows, viz:

Passing north	21,367 tons.
south	177,561 "
Total	198,928 "

Deduct the above from the tonnage of both canals, as given in the preceding part of the report, and it leaves the tonnage of the Erie canal, ascending and descending, at 469,505 tons.

The statement marked K exhibits the amount of moneys received by the commissoners of the canal fund, from all sources, and the amount paid by them, from the first organization of the board in 1817, to the 30th September, 1834. The receipts from the various sources are as follows, viz:

Avails of loans	$7,672,782 24	
Premiums on do	223,368 76	
Tolls	9,589,530 02	
Vendue duty	3,193,807 61	
Salt duty	1,872,329 68	
Steamboat tax	73,509 99	
Sales of lands	70,582 15	
Interest on investment of surplus	509,854 52	
Rent of surplus water	12,714 18	
Other receipts	25,718 00	
		$23,244,197 15

The payments have been as follows, viz:

Canal commissioners	$9,859,575 43	
Interest	4,785,521 80	
Western Inland Lock Navigation Co.	152,718 52	
Notes of Myron Holley	17,155 41	
Miscellaneous payments	155,693 40	
Superintendents of canal repairs	2,315,280 57	
Extinguishment of debt	2,955,675 22	
		20,241,620 35

Leaving a balance in the hands of the commissioners, on the 30th of September, 1834, applicable to the canal debt, of $3,002,576 30

The merchandise passing from tide water on both canals, during the season of navigation in 1834, is stated to have been 76,176 tons: there passed over the rail road 1,400 tons, making a total of 77,576 tons of 2,000 pounds each. Of this quantity 7,265 tons arrived at and passed Whitehall on the northern canal.

The quantity of Onondaga salt sent to lake Champlain through the northern canal, amounted the last season to 123,337 bushels, being more than the average amount for the four preceding years.

Trade of the lakes—The following fact, we place on record, for future reference, in order that it may be seen how much sooner lake Erie is free from ice at Cleveland, than at Buffalo. Cleveland is the point at which the Ohio canal enters the lake, and when that canal is connected with the Pennsylvania canal, there will be a direct communication between Cleveland and Philadelphia.

The first arrival at Cleveland—The Cleveland (O.) Herald of the 21st ult. says—"The schooner John Q. Adams arrived at this port from Sandusky last evening. She reports that the navigation between the two places was unobstructed. The Atlantic, which she spoke on her passage down, is hourly expected. The John Q. Adams is the first vessel which arrived this season."

The engineer of the *Chesapeake and Ohio canal* reports the completion of that work to a point eight miles above Williamsport, so far as to open it for trade. Sixty boats had already descended the lock below Williamsport, laden with flour, coal, &c.

The *Baltimore Gazette* says—Our readers are aware that a contest has been going on for some time, between John Randall and the Chesapeake and Delaware canal company and others, in relation to the right to collect the tolls upon the canal. Mr. Randall having a judgment for a large amount, has proceeded to demand the tolls accruing from the use of the canal. The subject has been brought before the chancellor upon a bill filed by John Scott, esq. of this city, one of the counsel for the plaintiff. We have seen an order just issued by the chancellor, sustaining the ground assumed by the counsel of Mr. Randall, and appointing a receiver with directions to collect the tolls for entering into and passing the canal from this state into Delaware and deposit the same with the court, while the whole amount to be received from the other end of the canal is to be collected by the company as heretofore, and to be applied by them to repairing the whole line of the canal.

A rail road from Portland, in Maine, is proposed to be made to Quebec. Lord Alymer, the governor general of British America, heartily unites in the project, and has open a correspondence with the governor of Maine.

It is expected that 25 or 30 miles of the rail road from *Richmond* to the Potomac, will be completed in the present year.

All the stock has been subscribed to make a rail road from Saratoga Springs to Whitehall, *New York*—and when this is completed, as it soon will be, persons will be carried by steam from the city of New York to Quebec, to wit:—from New York to Albany, by steamboats, from Albany via Saratoga, to Whitehall, by the rail road—from Whitehall to St. Johns, in Canada, (down lake Champlain) by steam boat—from St. John's to Laprarie by a rail road now nearly completed—from Laprarie to Montreal and thence to Quebec, by steamboat!

The journey from New York to Washington will be made in about 16 hours, after July next—from New York to Philadelphia in six hours, from Philadelphia to Baltimore eight, from Baltimore to Washington two.

The Philadelphia Herald says—Perhaps no single circumstance has yet transpired, showing more conclusively the importance and value of the Columbia rail road to the trade of our city, than the following:—On Wednesday last at five o'clock, A. M. a parcel of fifty-six barrels of flour from Ohio, left Columbia on the rail road, and was delivered in Broad street, Philadelphia, the same day before 1 o'clock, P. M., by two it was inspected, and before three o'clock it was sold and taken away by the purchaser. The flour was brought by the Reliance transportation line.

Several packages of goods purchased in *New York*, in the afternoon of Saturday, the first inst. by a merchant of Edgefield court-house, S. C. had arrived at Heken, S. C. (50 miles beyond Charleston) on the morning of Saturday the 8th, having remained a day in the latter city. They reached Edgefield the same evening.

The Charlestown Free Press of the 16th inst. states that the "flour despatched at Harper's Ferry for Baltimore by the Baltimore and Ohio rail road has been averaging, for some time, 500 barrels per day. On some days the transportation has amounted to a *thousand* barrels."

The same paper observes—"Travelling between Baltimore and Harper's Ferry has been greatly facilitated. We can now start from the Ferry at five in the morning, and dine in Baltimore at one. Returning, the cars arrive about one o'clock at the Ferry, where passengers take stage, pass through this place at three P. M., and arrive at Winchester the same evening."

The subscriptions in the city of New York to the stock of the Erie rail road company continue to be made with spirit. At one o'clock, P. M. on the second day, they had reached one million eight hundred thousand dollars.

[Only two millions are wanted, at present.]

The N. Y. American thus speaks of the prospects of this road—The immense commercial importance of the direct connexion to be effected by means of the proposed road and the Allegany river, between the city of New York and the valley of the Mississippi, is but yet imperfectly realised or understood. Let it then be distinctly known to our merchants, that the moment the line of the Erie rail road reaches the Allegany river their merchandise can be delivered on its banks from their warehouses in this city, *within thirty six hours!* that it can thence descend down the safe, though rapid, current of that stream, *in less than two days* to the wharves at Pittsburgh—that this navigation is always available precisely at the period when it is most needed, to wit, in the months of March and April, and that the river with small expense, can be rendered navigable throughout the whole summer and autumn. The enormous importance then of accomplishing this connexion, with the utmost practical despatch, must then be evident. It is the only mode in which New York can neutralize the gigantic efforts making by Philadelphia to deprive her of the commerce of the west—but when completed, will most effectually accomplish that object. Pittsburgh will thence-forward cease to be the western emporium of Pennsylvania, and with her long line of sister cities and communities along the valley of the Ohio, will become attached, as a commercial dependency, to this metropolis."

Baltimore and Ohio rail road—Transportation for the week ending the 11th April, was, viz:

	tons.	cwt.	qr.	lb.
Eastwardly.				
8,191½ barrels of flour, weighing	780	17	2	7
Meal, grain and provisions,	45	17	2	0
Whiskey,	3	7	0	0
Hogsheads of Tobacco,	7	17	2	0
Granite, lime and lumber,	195	5	2	0
179,202 lbs. iron and castings,	80	0	0	2
11,046 lbs. leather,	4	18	2	14
14,616 lbs. cotton,	6	10	2	0
Miscellaneous articles,	46	1	2	5
Total,	1,170	15	3	0
Westwardly.				
1,920,778 lbs. dry goods, groceries, furniture, and commodities generally,	857	9	3	6
Coal,	97	6	2	0
Total,	954	16	1	6

[*Balt. Gaz.*

A bill has passed both branches of the legislature of Illinois, for the construction of a canal from the Illinois river to Lake Michigan. The improvement, when completed, will be 115 miles in length, and will open a direct communication between

the lake and New Orleans, and the river St. Lawrence and the Gulf of Mexico. The estimated cost of this work is $3,000,000.

The New Orleans Bulletin says that a splendid new steamboat, under the command of captain Pennoyer, had been established to run between Charleston and St. Augustine; and that arrangements have been made to continue the line from St Augustine to Havana, to connect with the Connecticut steamship, between Havana and New Orleans, thus making a complete line of communication by steam between New Orleans and New York. The whole distance between these two places will be performed in eight or nine days, and will offer a most agreeable and comfortable mode of travelling to those who intend proceeding to the north the approaching summer.

The "Globe" says—We are happy in being able to announce that the proper authorities of the states of Virginia, Maryland and Pennsylvania, have signified their acceptance of the portions of the Cumberland road within those states, respectively, agreeably to the provisions of an act of congress of the last session, authorising the expenditure of the sum of $346,186 for its final completion. The road is thus surrendered to the state governments, and further appropriations by the United States will become unnecessary. It will be kept in repair by moderate tolls, established and collected under the authority of the states. The above sum will put the road in complete repair, and render it equal to any road in our country. This information will be gratifying to many of our readers who are interested in the condition of that great work. We understand that arrangements are already making for the completion of the road.

The "Delaware Journal" says—Mr. Strickland, assisted by Mr. Trautwine, commenced a new survey of the route of the Wilmington and Susquehannah rail road, on Thursday last, with a view to its immediate location and is now daily engaged in laying down and staking out the route. The results of the new explorations are of the most gratifying character. It has been ascertained, that by deviating at some points, from the line laid down in the plot of the first survey, a shorter and better road will be obtained diminishing considerably the expense, as stated in the first estimate.

The engineer, describes the route as one presenting extraordinary facilities for an almost entirely straight road. The work will be pushed with vigor, and the calculation is, that it will be completed and in operation in 15 months from this time.

Williamsport, April 11. Wednesday and Thursday last, the 8th and 9th instant, were busy days with us on the canal. The water was let into the level next below Williamsport, and the numerous vessels which had, within the previous few days, been literally wedged in our basins and canal, forming as complete a bridge of boats as ever crossed the Rhine, thronged and pressed to the lock, eager for passage below.

As fast as balance beam and valve key could be plied, were they passed on amid the shouts of a number of our citizens, who had assembled to witness the novel sight. Of the number of vessels which were admitted, we have not been duly informed; but our estimate, and we speak, we are sure, much within the number, is from fifty to sixty. Amongst them we remarked a very handsomely decorated and "trim built" craft, with a cabin roof of white with red hangings painted upon it, and, appropriately enough, bearing the name of the Lady of "the father of his country," and the projector of the Chesapeake and Ohio canal. (Need we say, Washington?) This, the first regularly formed boat which has entered the canal at its head, so far as completed, was from Cumberland, laden with flour to the amount say from 350 to 400 barrels; apparently only half her tonnage—the owners no doubt apprehending danger from placing too heavy a burden on her, passing, as she must, through new work, which cannot be exempt from danger of breaches, &c. Be they who they may, the proprietors of the Lady Washington deserve great credit for their enterprise, and we hope that this vessel may be followed by many others, similarly laden and bound to the same market.

"It was a glorious sight to see" the numerous boats as they lay in the basin by night, each illuminated by a glowing coal fire, which cast "a long level rule of light" across the water; and the silence of night was not unpleasantly interrupted by the cries of the hoarse boatmen, as they were disturbed from their moorings by new arrivals, and driven to closer contact with their neighbors. We heard divers remonstrances boisterous and uncouth against "*scrouging*," to make use of the navigator's expressive, however inelegant term. [*Banner.*

Pennsylvania improvement bill. The improvement bill, to which we lately alluded as having passed the house of representatives, has been amended in the senate by striking out all appropriations for *extensions*—retaining only such as were required to finish the work on hand—with an appropriation of $60,000 to a towing path at the Dunnstown dam, on the west branch.

The "Richmond Compiler" says—The facilities for travelling are now so great, that "time and space" are almost "annihilated." The writer of this article, a few days ago, was breathing the mountain air, (some of it a little pinching, by the way), and in forty-eight hours had traversed a distance of 231 miles, spending half a day in the pursuit of his business, in one of the cities.

From Harper's Ferry to Baltimore, a distance of 83 miles the travel by the railway, including stoppages, averages 12 miles an hour. A portion of this route was performed at the rate of twenty miles an hour, and even upon the curved parts, at about three minutes to the mile.

We met with a gentleman in Washington, who, 13 hours previous, had been in Philadelphia; and he informed us that on the Amboy railway, the car moved at the rate of 30 miles an hour. Upon the completion of the rail roads between Baltimore and Washington, and between Fredericksburg and Richmond, a trip to New York, from this city, [RICHMOND] will be but the work of 24 hours.

The Baltimore rail road company now employ more than 1,200 burthen cars; and the quantity of flour sent from Harper's Ferry alone amounts to more than 500 barrels per day.

The Mad river and lake Erie rail road, from Dayton to Sandusky, will be 150 miles long.

The whole of the stock in the Harrisburgh, Portsmouth and Lancaster rail road, in Pennsylvania, has been taken.

The Danville and Pottsville rail road, a very important one in Pennsylvania, has advanced from 40 dollars to 53 dollars per share, since the passage of the bill to incorporate a company to make a canal to the tide on the borders of the Susquehannah. It passes through an immensely rich coal country. Danville is located in the north-branch of the Susquehannah.

Four companies of engineers are engaged in surveying the route of a rail road from New Orleans to Nashville.

The rail road from Lexington, Ky. to Louisville, has been settled—and the corporation of the latter subscribes $250,000 to complete it: and a rail road from Frankfort to Louisville is going on handsomely.

The tolls received on the Schuylkill navigation, for the week ending April 11th, amounted to $10,896 35.

TRADE OF THE SUSQUEHANNAH.

April 9, 1835. At a meeting of the citizens of the city and county of Philadelphia, held in pursuance of public notice, the meeting was organized by calling general *Robert Patterson* to the chair, and appointing *Robert Toland*, esq. to act as secretary.

The following preamble and resolutions were offered by *Wm M. Meredith*, esq. and unanimously adopted:

Whereas, Information has been received that a bill has passed the senate of Pennsylvania, and is now before the house of representatives, authorising the construction of a canal from Columbia down the Susquehannah to the Maryland line, and the citizens in town meeting, believing, that if the said bill should pass into a law, giving a private incorporated company the power of turning the channel of trade from its present direction to Baltimore, it will have the most disastrous effect, as it regards the interest of the commonwealth, and more particularly so in respect to the trade and prosperity of this city and its vicinity. And whereas, after upwards of eight years labor in constructing canals and rail roads, for the improvement of the state, and the expenditure of 25 millions of dollars, in bringing to completion these most important works, the whole of which immense sums has been furnished by means of Philadelphia capital; the citizens had fondly anticipated that they might enjoy the benefits of the trade resulting from these great works; and now, when they are but beginning to taste the fruits of their labors, and vast expenses, they are likely to have the cup dashed from their lips, and the trade turned into a different channel, by the alarming account of the bill just passed in senate.

A bill giving to a private company the authority to construct a navigable canal from Columbia to tide water in Maryland, a distance not exceeding 40 miles, thereby giving Baltimore a decided advantage over our own commercial metropolis. Thus transferring the descending as well as ascending trade from our only seaport to that of an adjoining state, and deeply affecting the revenue of the commonwealth, by the reduction of the tolls and revenue expected and now actually receiving through the medium of the state canals and extensive rail roads. A measure of this kind, fraught with such injurious consequences to the trade, prosperity and industry of the city of Philadelphia, and its districts, it is hoped will not be persevered in by the legislature, but that with paternal and fostering care, they will arrest the progress of this bill, which, if passed, it is apprehended, will be most ruinous in its consequences.

Therefore, taking into consideration the project of the said canal, and the deep interests involved thereby,

Resolved, That we view with great apprehension, the effects of the bill now before the house of representatives, entitled "an act authorising the governor to incorporate the Susquehannah Navigation and Canal company," we believing that the passage of such an act, will be most detrimental to the interests of the state, to this city, and its vicinity.

Resolved, That we most earnestly request our representatives from the city and county, to use their utmost exertions by all honorable means, to prevent the passage of said bill.

Resolved, That the citizens of Philadelphia have always viewed with satisfaction the course of their representatives in the legislature, in voting liberal appropriations for the improvement of the state, and which policy they still approve. They,

however, are of opinion that it would be ill advised policy to authorise the construction of a canal which will make our public works subservient to a Baltimore interest, and to the depreciation of the trade, industry and prosperity of our own city and its districts.

On motion, *Resolved*, That a copy of the foregoing proceedings be forwarded to the honorable speaker of the house of representatives, with a respectful request that he will lay the same before the body over which he presides; and that copies be forwarded to our members from the city and county of Philadelphia, and that the same be published in the newspapers. By order of the meeting. ROBT. PATTERSON, *chm'n.*

Attest, ROBERT TOLAND, *secretary.*

—

The subject of this canal has also engaged the attention of the corporate authorities of Philadelphia, and the deliberations of the city councils resulted in the adoption of the following resolutions:

Whereas information has reached this city, that a bill for continuing the Pennsylvania canal from Columbia to tide water by a company to be called the Susquehannah Navigation company, has passed the senate of the state.

And whereas, the select and common councils of Philadelphia believe that the passing of said bill into a law, would divert the internal commerce of our commonwealth from its native depositories, and make *our public works tributary to a rival state*, to the great injury of our citizens;

Therefore, resolved, That the select and common councils most earnestly remonstrate against the enactment of the said law as at variance with the best interests of this state, injurious to her own citizens and completely subversive of the principles on which our great public works have hitherto been prosecuted.

Resolved, That a copy of the foregoing preamble and resolution, signed by the presidents of councils, be transmitted to the legislature, and that our representatives in both houses be requested to use all constitutional measures to prevent the adoption of a measure so suicidal in its character.

—

On the contrary, the "Harrisburgh Intelligencer" said—

CANAL TO TIDE.

A bill to incorporate a company to construct a canal twenty-seven miles in length, from Columbia to the Maryland canal, has passed through the committee of the whole in the senate. It is to be taken up in that body, on second reading, to-morrow, and it is hoped that it will pass. It should not be delayed. The stock can now be immediately taken, but if delayed another year the money market may not be as good. Besides, every year's delay will take out of the treasury of the state from 3 to $500,000. It is of little use to extend our canals up the north or west branches of the Susquehannah, unless the products of our valley can bear the expenses of tolls and transportation. Let this canal be made to tide, and 130 miles of transportation is saved. Then the state improvements above Duncan's island, on the Susquehannah, more than 150 miles in length, now not yielding enough to keep them in repair, will be covered with coal boats. This canal will bring into more active operation, not only all the canals upon the Susquehannah, but the Juniata canal. The bituminous coal upon the Juniata as well as the Susquehannah—the lumber of the north branch, nearly all of which is now excluded from our canals, will bring more toll than every thing else, now carried upon our public improvements. A vote therefore to defeat or delay this canal, is a vote, equivalent to taking a large sum from the treasury.

And the same paper of the 14th inst. announces that the bill had passed the house, as it had passed the senate, by two-thirds —57 to 26; and on the 17th we had advices in Baltimore that the governor had signed the bill, and it became a law.

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The "Philadelphia Herald" speaking of the passage of the law, says—

"This measure strikes a deadly blow at the prosperity of Philadelphia, and turns at once a large portion of the advantages to be derived from the extensive and costly internal improvements of this state, and to which this city has contributed so liberally, into the lap of *Baltimore*. Had the legislature designed to paralyse the industry and enterprise of Philadelphia, destroy her trade, ruin her commerce, and drive her merchants to seek that protection and encouragement in other states which is denied them in their own, they could scarcely have adopted a measure that would more effectually have accomplished their purpose. What? after the great exertions which this city has made to promote the internal improvement system of the state, and the MILLIONS she has advanced to enable the state to carry on these important works, is she destined to see the whole of the benefits to be derived from these works, turned almost unsolicited, into the lap of a rival sister? We can scarcely believe it; we cannot believe that the governor will sign such a bill, though the legislature have been so unjust as to pass it. Philadelphians know well that what has beeen done to increase the trade of the city has been done with labor; that New York and Baltimore look upon her with a jealous eye, and are active in devising means by which to draw to themselves that which, if proper exertions are made, must come here despite of all the efforts of her rivals to the contrary; they should also recollect that what we have obtained can only be retained by constant vigilance and activity. If, thinking they have no more to do, they fold their arms in security, they will only wake from their lethargy to behold the irreparable loss of that which they vainly deemed theirs forever."

From the "Baltimore Gazette"—"Philadelphia has gained something by the passage of this bill. She has acquired information, which perhaps, could not have been obtained in any other way, and which may prove of infinite service in future. It has taught her citizens that a portion of the state of Pennsylvania lies west of the Susquehannah, a fact which they seem to have lost sight of, and that the residents of that district of country sometimes turn their faces south instead of east. But it has done more. We are told, upon good authority, that lessons of humility are sometimes serviceable, if so, they have gained much by the passage of this bill. It has instructed them that their influence is more limited than was expected, and that there are other cities than their own, and that nothing is lost by pursuing a liberal course of policy in the extension of the channels of trade."

And the "American of the 18th observes—

"Our fellow citizens in receiving the information will share with us the sincere gratification we enjoy in communicating it to them, that the governor of Pennsylvania has affixed his signature of approval to the bill authorising the extension of the state canal from its present termination at Columbia down to the tide water of the Chesapeake. It is, consequently, a law—enacted by Pennsylvania for the advantage of her own people, and at the same time fraught with incalculable benefits to *Baltimore*. If we are on this occasion true to ourselves, and take care that the liberal charter which has thus been granted is imbued with the life and energy which alone can give it value, we open to ourselves a fountain of prosperity which will continue to flow with constantly increasing volume for all future time."

—

The act provides for subscription to the stock of the canal, through the agency of persons well known to be friendly to the measure, in Pennsylvania and Maryland —5,000 shares at 50 dollars per share, and 5 dollars payable at the time of subscription. There is no doubt that the stock will be swiftly taken. The law is liberal in its provisions.

We do not see any reason for the depression of Philadelphia, or exultation of Baltimore, in this matter. It is impossible that the beautiful, industrious and thrifty city of Philadelphia, can lose much, if any thing, by it—she must be, and always will remain, the great seat of manufactures and the mechanic arts, (in which she excels) and command a full and free share of the business of the country. She has capital, and enterprise to use it, and all that can be desired. A friend tells us that we, in Baltimore, are receiving bacon from Pittsburgh, through her, and so sending coffee to Pittsburgh—though to the more south west we yet have a large trade to *Wheeling*, &c. which, however, is seriously threatened, and will be lost to us without great exertions to complete the Chesapeake and Ohio canal to Cumberland, and draw these countries nearer to us by other improvements in the west. Baltimore, on the other hand, wants capital and industry—but, in time, may acquire both; and, as the Susquehannah is what we call *our own* river (commanding the estuary), we shall meet at *Port Deposite, on equal terms*, that part of the trade which may descend the canal—to proceed to *Philadelphia*, by the Chesapeake and Delaware canal, or to Baltimore, by the broad waters of our bay—according to circumstances and prices. And Philadelphia should remember that we gave our assent to the opening of a canal for her *particular* benefit—if such there is in the act of her legislature just passed—that is, surely, disadvantageous to us; but which had, and has received, our decided approbation and support. It will open to *Pennsylvania* a vast outlet for her *lumber* and *coal*, and other ponderous commodities, which will hardly bear transportation over the Columbia rail road, and so do a vast amount of good to the inhabitants of the country watered by the Susquehannah—much injured by the dams on the river to feed the canals. It is the duty of all parties to consult the good of the whole—the common good, in works of internal improvement, without regarding whether they shall injure particular places or not; but, in the present case, we think, that, while the canal to the tide of the Susquehannah will render much benefit to Baltimore, it will not be felt injurious to Philadelphia, and certainly add to the wealth of the state. With this view that act was passed.

A GREAT WOOL FAIR.

From the Boston Patriot.

I notice that it is in contemplation among the growers of wool, to hold an annual fair for the sale of it. The suggestion is, I think, a good one. The present mode of disposing of this

valuable and important staple is extremely inconvenient to all parties—to the farmer and the manufacturer.

If a fair was held annually, or perhaps still better, semi annually—it would no doubt, be well attended, not only by the New England, but the Ohio and New York wool growers—and by the manufacturers of these states. There would be an excellent assortment of qualities suitable to every kind of fabric, which would be very convenient to the manufacturers. The wool growers too, would have an opportunity of ascertaining the comparative value of each kind of wool, and thus decide correctly, as to which sort would be most worthy his attention.

Those farmers who by their intelligence and care, bring forward the best fleeces, would have a greater advantage over those who have less skill and industry, than they now enjoy from the mode of disposing of their produce, and the effect of this would be to stimulate our farmers to greater exertions in this branch of agriculture—the want of which is probably the only cause why wool of middling and inferior qualities is not produced cheaper in the cheap, fertile and untaxed lands of this country, than on the dear, worn out and heavily taxed lands of the old world.

Further, the assemblage of a large body of intelligent and enterprising farmers, manufacturers and merchants dealing in wool, could not fail of disseminating many useful facts as to qualities of this staple—the best modes of producing it—the consumption and the improvements which are going on in this country and in Europe in the production of this grand staple, and in the manufacture of it. The manufacture of cottons, save the finer sorts, which depend mainly for their cost on manual labor, is already established on a sure foundation—not likely to be much affected by any future legislation. Not so with the manufacture of woollens, which must decline when the compromise act goes into full operation, unless by an improvement in the management of sheep, the raw material can be afforded by the farmers, lower than it has been for some years. The wool growers, thus far, have been the only gainers by the protecting system, but they must be aware that their staple cannot be sustained to its present height, unless those who manufacture it get a fair remunerating price for their goods—which, as we apprehend they have not generally obtained for the last ten years, though in some few instances, and on particular fabrics, reasonable and perhaps high profits, have been gained.

There is one alteration which might be made in our present tariff of duties that would be extremely beneficial to the manufacturers, without injuring the wool growers, viz: the admission of wool free of duty, costing abroad, under 12 or 15 cents the lb. instead of 8 cents, the existing maximum cost of free wool. This would aid many branches of manufacture without lessening the demand for the home raised wool, inasmuch as no such qualities as this alteration would admit, are or can be raised by our farmers. On the other hand, the admission of more of the low foreign wools, would extend the consumption of middling sorts of American wool, which are used in combination with coarser foreign—inasmuch as certain branches of manufacturing, depending on foreign wools now excluded by extreme duties—would be created or extended,

The manufacture of woollens is of a much older date than that of cottons, and there is no reason, save a want of more skill and economy in their fabrication—and a reduction in the cost of the raw material—which can be and must be effected by the wool growers, without diminishing their profits—I say there is no obstacle which may not be overcome, to as great success in this branch of industry as in the manufacture of cottons, which for cheapness, we are excelled only by Great Britain, and, for extent, only that country and France. Indeed, when we compare our population with that of France, the contrast in our favor is striking. France and Switzerland, with a population of about 35,000,000, imports somewhat less than 300,000 bales of cotton of perhaps an average weight of 300 lb. We consume about 230 or 240,000 bales of about 350 to 375 average weight.

New England and some of the most populous parts of the middle states have as great capacities for the manufacture of cotton and wool as England and France, and before the close of this century, if we avail ourselves of all our advantages, we shall probably produce a larger amount of silk, cottons and woollens than either of these nations. To do this however, we must have the *leading materials* as cheap as other nations. Of cotton we are sure of this advantage the *material price*, namely, *cost of production*, being less than in any part of the world. We can, too, raise wool cheaper than in England, if our farmers will only exert themselves, and as one mode of accomplishing that object, I join in advocating the plan suggested by the wool growers—of a public fair.

I would also venture to suggest that the first one be held at Worcester, so easily and cheaply approached by the rail road, and at the same time the centre of the woollen manufactories. If that is found by experience to be a convenient place, one might perhaps be held in that place, and the second semi-annual one at some town on the Connecticut river.

A FRIEND TO THE GROWERS AND MANUFACTURERS OF WOOL.

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MEETING OF WOOL GROWERS.

At a meeting of the wool growers of the county of Franklin, according to previous notice, at Merrill's tavern, major *David Denison*, jr. was called to the chair, and *Urbane Hitchcock*, was chosen clerk.

The following persons were appointed a corresponding committee for the county:

Rev. Joseph Field, of Charlemont; Urbane Hitchcock, Shelburne; col. Abel Williams, Ashfield; major David Denison, Colerain; Jedediah Barrett, Rowe; P. L. Cushman, Bernardston; Hatsell Purple, Gill; col. Ansel Phelps, Greenfield, George T. Davis, esq. Greenfield; Samuel Wells, esq. Greenfield; Sedgwich Cooly, South Deerfield.

Voted, That the corresponding committee be requested to ascertain the number of fleeces raised for market in their respective towns, and report at the adjourned meeting.

Voted, That a letter from a correspondent in Newport, (R. I.) be published, together with the doings of this meeting.

Voted, That this meeting be adjourned to meet at this place on the 20th day of May next, at 10 o'clock, A. M.

DAVID DENISON, jr. chairman.

URBANE HITCHCOCK, *clerk*.

Shelburne Falls, March 27, 1835.

The following is the letter referred to in the above vote, lately received, and addressed to a member of the corresponding committee.

Newport, (R. I.) Dec. 13, 1834.

Rev. *Joseph Field:*

SIR: I observe by the newspapers, that a meeting of the wool growers was held at Shelburne Falls, to consider in what manner their interests could be best protected against the arts of speculators in that community. Such a plan is laudable, and will prove, if successful, not only beneficial to the producers, but to the manufacturers and the public at large; for unless the farmers can obtain a remunerating price for their exertions and improvements in this branch of industry, they will bestow less attention to it, and the trade will retrograde to the injury of all. Having been engaged in the business for some years in Germany and England, and acquired an intimate knowledge of their mode of proceeding, I have taken the liberty to address you, as one of the committee, and shall be pleased, if my remarks and suggestions be instrumental in any degree in promoting so desirable an object. It is the practice in those countries to hold annual fairs at some place conveniently situated for the purpose, to which the farmers from miles around bring their wool for sale, some in sacks, others open; public weighers are appointed to weigh the wool when sold, who certify to the correctness of the weight, and against this certificate the seller gets paid. I have seen at Breslau wool fairs, in Silesia, fifty thousand hundred weights of wool exposed and all sold in three days. These public markets create a wholesome competition amongst the buyers, and emulate the farmer to renewed exertions; for it happens with very few exceptions that the best article will bring the highest price, where a number of purchasers are collected together. It is besides, a kind of yearly convention of the trade, and brings the grower and manufacturer in contact, which is very desirable, as the latter knows what kind of wool works best, and can point out to the farmers, especially to those whose wool he has once used, faults and imperfections, that we may remedy them. The celebrity of the flocks in many parts of Germany, is owing, in a great measure, to the intimate intercourse between those interested in the trade, whose common aim is improvement; for if the farmer do not produce wool of good quality in every respect, the manufacturer can never make much headway in competition with foreign fabrications. I consider them as much, or indeed, more interested, than you, in the success of your plan. The utility of great public markets has been amply illustrated by the institution of the cattle fairs at Brighton, and cannot fail, in my opinion, to have a similar good effect on this branch of national industry. I see no other way of getting rid of the evil complained of, which is a crying one, than this, and am surprised that their adoption has never taken place in any part of this country. Before their institution in Germany, the producers were the prey of a hungry set of Jews, and were so poorly paid that they lost all ambition to improve their flocks; now, buyers from England, France, all parts of Germany, Italy, and the Netherlands, assemble at their fairs, giving the wool growers the benefit of an almost universal mart. The system works well, and is advantageous to all parties except the artful speculator.

As the trade is now carried on here, there is very little encouragement to the farmer to improve his flocks, for the wool is not bought according to the respective value of each, but according to the price given for the first lot sold, and your's and mine, although worth a great deal more than the one sold, must take the same price, or keep it, rather than suffer which most farmers submit to the hardship. This case can never occur in our open market;—there it will be estimated according to its own value, not by that of our neighbors, which may be better or worse. I shall be happy to give you any information I am master of, on the subject. And remain respectfully, sir, your ob't serv't,

THOS. EVANS.

PENNSYLVANIA POLITICS.

The "Harrisburgh Intelligencer" contains an account of the *officers* employed on the canals and rail roads of Pennsylvania. Their amount is 367 men, and their compensation $143,597 37½ per annum. The Intelligencer adds, the "*soldiers* are not enumerated;" and supposes that the whole of *superintendence*, including the rent of houses for the lock keepers (190 in all), is not less than $200,000 a year.

At a meeting of the friends of Mr. *Muhlenberg*, held at Wilkesbarre, the following resolution was passed—

Resolved, That the late act passed by the congress of the U. States, increasing the pay of our naval officers, beyond the pay allowed by the despotic governments of Europe, when it is considered that the number of officers in the service is almost four times as great as is necessary, is destructive of the character of the service—*a scandal upon its patriotism—an insult to the memory of our patriot fathers—a slander upon the principles of our government*—execrable in the eyes of a free people, and ought to be repealed.

The "Pennsylvanian" enumerates *fifty one* "democratic journals" in the state, who are friendly to the election of Mr. *Muhlenberg*.

At a meeting at Bridgewater, in Beaver county, "one of the orators declared that *George Wolf was first nominated by intrigue*—that he could substantiate by *positive proof, he himself having been on the ground*—and they were justifiable now in chisseling him out. This was responded to by one on the other side, who stated that *he knew such to be the fact*. A man, now a delegate, had, with two others, secured Wolf's first nomination *by trick and management*, and he was now ready to act over the same game *against him*."

And the "Beaver Argus" says—We hear it rumored that gov. Wolf will shortly renounce and denounce Van Buren, and throw himself on the whigs for support. We know he has the disposition, but is afraid to make the move. George Wolf is at heart an enemy of Van Buren; and they are only associated together until after the election, in order to secure the strength and influence of the friends of the latter in the contest for governor. After that time the mask will be thrown off, and the magician will find that even he has been outwitted and deceived by the politicians of Pennsylvania. Should the governor take the step first mentioned, he will not secure our support. We have no confidence in him whatever.

The "Alleghany Democrat" has the following:

"The *desperate* and *incorrigible* partisans of *parson* Muhlenberg in this city are inundating this county with *lying circulars*, and are endeavoring to obtain the signatures of the unwary and incautious to *printed pledges* to sustain the nomination to be made by the *farcical* Lewistown convention. Even some of the *four notorious delegates* from Allegheny county, who preferred the gratification of their own *selfish caprice* to the full and faithful discharge of their delegated trust, have been active in distributing these disorganizing circulars and in soliciting signatures! When will some men learn wisdom?"

We take the following paragraphs from the "Lancaster Journal," a "Wolf" paper.

Has *the general post office recalled its travelling emissaries from our state* who have been posting from town to town, using every art of persuasion and making fine promises, to *split* the democratic party?

May we be permitted to inquire of those who are in the secret, in what has the democratic party of Pennsylvania, and George Wolf in particular, offended *that those in whom they put their trust, in the city of Washington, should have determined upon their ruin? Why have they sent evil counsellors among us?* Why have they ordered their *servants* in Philadelphia to *use their influence over the presses to corrupt the fountain of information? Why have they prostituted their official situations, to distract the party in the key stone state*, on which the safety, the honor, and the democracy of the union depend?

And adds—

How is the breach to be heal'd?—This question is repeatedly and hourly asked, and by those who were most active in erecting the machinery by which it was effected. The first step, we conceive is, *to call off the incendiaries—to put a stopper on certain United States officers*—to prevent the distribution of the *jobs* of their offices for the purpose of corrupting the press. For we assert, not without knowing we shall be contradicted, though we do *not fear it*, that Pennsylvania would have remained triumphantly democratic, without *a split, but for the interference of certain United States officers, in Washington and in Philadelphia*, who kindled the fire and fanned the flame.

Will they heal the breach?—They cannot, if they would.—*They have raised the devil, and it will take wiser heads and better hearts to lay him.*

The "Pennsylvanian" says—

A bold, designing politician had the hardihood to proclaim nearly twenty years ago, that "we are all men of principle in proportion to our interest."* Though the moral sense of mankind was shocked by the blood-curdling expression at the time, the experience and observation of the public since, has been such as to wear off in some degree the horror it excited.

The recent transactions at Harrisburgh, connected with the sham nomination of George Wolf, would almost induce any man to doubt whether there was any thing like principle amongst politicians when their interests are at stake—but when the conduct of those who defend that pestilent and disorganizing act are taken into the account, we are compelled by the irresistible evidence of facts to admit, that veracity, common integrity, individual dignity, and self respect, will all be eagerly surrendered for the attainment of a favorite though illicit object.

* * * * * * * *

How long reluctant nature will enable this band of worthies to look the public in the face, it is impossible to say; but if there is one thing or one man in the whole of it that strikes us with more astonishment than the rest, it is the Wolf organ in this city.* That he ever should have descended to the vile task of defending such a crusade against the rights of his fellow citizens and fellow men, excites our special wonder. Say what he will, he has no devotion to the deed, and sooner or later he will shrink back with horror from that chasm which is opening to receive them.

The Pittsburgh "Advocate & Advertiser" observes—

The editor of the Globe is said to be in Philadelphia, whither he has been sent to reunite the dismembered democratic family of this commonwealth. The intention, we understand, at present, is the suspension of the claims of Muhlenberg, after the Lewistown convention, at which he will doubtless be nominated, but whose nomination it is understood, he will decline. Judging from the tone of the "Pennsylvanian" of the last few days, we presume that the arrangements have been fully matured, but we know too well the elements of which both factions of the party are composed, to indulge for a moment a single fear of its success. The *esprit du corps* of the party is forever destroyed, and there exists not a more irreconcilable discrepancy of opinions and policy between the anti Jackson and Jackson party, than now exists between the adverse factions of the latter. In this city, much outrage has been done to individual feelings, which can never be forgotten through the countless vicissitudes of party warfare.

[Now it would seem from the "Pennsylvanian" that the contrary is likely to happen! In that paper of Tuesday and Wednesday last week, are *twelve columns*† of the names of persons calling a meeting to appoint delegates to attend the convention to be held at Lewistown, on the 6th proximo, and it says—

"It is demonstrated to a certainty that, with the exception of the office holders, a few expectants, and a sprinkling of whiggery, the Wolf banner is hoisted in vain in this section of the country. The attempt at a rally was a complete failure, and the disheartened bearing of the few who did obey the call, was a convincing evidence that they felt it was for the last time.—The sham nomination will be laid quietly down, and left by the way side."

And it has many expressions of a triumphant character, when speaking of the counties.]

Speaking of the *Muhlenberg* meeting called above, the "American Sentinel" says—"We learn from respectable citizens who were present at the disorganizers' *city and county* meeting, on Wednesday evening, that it was a miserable abortion—after all the parade of names and the drumming up that took place, the court room, which will probably contain four or five hundred persons, was not near filled—and the whole turned out to be a poor, spiritless affair. Mr. Muhlenberg's jig is up."

But the "Pennsylvanian" remarks—"The meeting was, as we anticipated, unusually large, great numbers being unable to obtain access, so dense was the throng which filled the room and clustered about the entrances; and the determination and enthusiasm which animated the assemblage, loudly declared that it was the democracy, the disinterested bone and sinew of the party, who were congregated to give utterance to their feelings. The spirit which animated them spoke of energy and victory, and told a different tale from that uttered by a disheartened and lifeless collection of office holders who assembled in the state house yard on Monday last. If any of the supporters of the sham nomination were within hearing on Wednesday evening, they must have felt that the people themselves were up, and that the repeated and enthusiastic cheering which so frequently burst forth, was a sign not to be mistaken.

The meeting was organized by calling that veteran and unflinching democrat, col. *S. B. Davis*, to the chair, who explained the purposes of the call in an eloquent and impressive address."

The following resolution was passed at the meeting above alluded to:

Resolved, That however much we may complain of the lavish expenditures, and profligate conduct of those persons connected with the formation of our canals and rail roads, causing great irritation of the public mind, and unnecessary taxation, yet we clearly perceive, and fearlessly avow that the improvements, upon which upwards of twenty millions of dollars have been expended, must, by a judicious system of completion, be rendered as available as possible, otherwise the country will suffer a dead loss of the millions already appropriated.

The following relates to the letter of Mr. *Buehler*, which was inserted in our last—

From the American Sentinel. "The *Pennsylvanian* manifests a holy horror at an act of a young gentleman at Harrisburgh, who, irritated at the conduct of Mr. *Muhlenberg's* friends, in getting up second sets of delegates to the Harrisburgh convention in a number of counties, hastily and imprudently recommended the adoption of a similar measure in Adams county. The suggestion was not complied with, and there the matter

*Dr. Sutherland. *Editor.*

*American Sentinel. *Editor*

†Or six columns, two names in a line.

ended—and nothing would probably have been said about it by any one, had it not happened that this gentleman was connected with the governor's family by marriage. But what right have the conductors of the *Pennsylvanian* to complain? Had the suggestion to elect a second set of delegates in Adams county been carried into effect, it would have been doing nothing more than was done by the leading friends of Mr. *Muhlenberg* in Philadelphia, and in various other places. It has been publicly charged, and has never been contradicted, that the expenses of the THIRD set of delegates from Lancaster county were paid at Harrisburgh by a lawyer from Reading; and no man in this community doubts, that the same course was pursued in relation to some of the *sham* delegates from a quarter nearer home. The difference in the two cases is, that in reference to the friend of governor *Wolf*, it was a mere recommendation, which resulted in nothing, and was produced by the course of Mr. *Muhlenberg*'s friends, who, in pursuance of a plan regularly matured, had actually succeeded in sending second sets of delegates from a number of counties, for the express purpose of preventing a fair expression of the voice of the people. Let the friends of Mr. *Muhlenberg* first take the beam out of their own eyes."

From the Pennsylvanian. The Sentinel endeavors to smooth over the act of the executive cabal at Harrisburgh, in sending expresses to Adams and Schuylkill counties, with orders to the office holders to manufacture spurious delegates, by telling the world that it was the act of a "young gentleman" at the seat of government. This young gentleman is Mr. Henry Buehler, clerk of the state senate—a man, we believe, of about thirty-five years of age, and scarcely entitled to plead minority, or the indiscretion of youth, to exculpate himself from the consequences of having been connected with an attempt to betray the people. Whatever the Sentinel may think, we look upon a man with thirty-five years upon his back, as sufficiently advanced to know right from wrong. His acts at that time of life are those of a man, and not the crude, undigested acts of a "young gentleman." If the Sentinel goes on at this rate, it will soon tell us that the "sweet fellows" are innocent lads, and by no means responsible agents.

But we pass by Mr. Henry Buehler and his spring time of life, in this matter. He did no more than carry into execution the devices of others. Ellis Lewis, George Wolf, and the other constituent parts of the executive cabal, are the "reverend youths" who committed the boyish indiscretion of conspiring against the people; and attempted to hire spurious delegates to defraud the yeomanry of Adams and Schuylkill, and through them, the democracy of the whole commonwealth. That the conspiracy failed, does not, as the Sentinel would intimate, diminish the heinousness of the offence, as governor Wolf and his advisers will soon learn. It will be regarded by every honest man in Pennsylvania, as an outrage demanding the most signal retribution, and as an exhibition of political profligacy which never could have been anticipated from men occupying the exalted stations in which George Wolf and his advisers are placed. The Wolf organs, from one end of the state to the other, may strive, as the Sentinel has, to gloss the matter over, and to explain it away, but neither explanation nor denial will avail. The proof is before the people, and it is enough to prostrate any administration, were it ten times as strong as the one which has so rashly tried to whip the commonwealth into submission.

The *Reading Chronicle*, in speaking of the late attempts of the Wolf presses to bully Mr. Muhlenberg and his friends, says:

Some of the Wolf presses seem to harbor an opinion that the friends of Henry A. Muhlenberg can, by threats and violent assertions, be driven from his support. This is folly—for no man in the enjoyment of his reasoning powers can calculate such an event as within the range of probability. The friends of Mr. Muhlenberg will not desert him, neither will he desert them, and should the Lewistown convention nominate him, he will stand his ground immoveably. It is a farce to speak of his being ruined should he not succeed. Being firm in the affections of his immediate constituents, he cannot fall.

The reverend Mr. Muhlenberg. We understand that some offence has been taken, because when writing of the reverend Mr. Muhlenberg, we do not give him his title, as in duty bound, we ought to do. If sincere repentance for this sin can atone for it—and if an humble apology can be accepted for this inadvertent violation of good breeding, we proffer the one, and do most devoutly feel the other. Hereafter, on all occasions, we shall endeavor to observe the rule of good breeding toward the reverend Mr. Muhlenberg, at the same time that we devoutly wish he was not a candidate—aspiring as he does to political power.

[*Dem. Herald.*

LETTER OF WILLIAM T. BARRY, P. M. G.

To the house of representatives of the United States; reviewing the report of the select committee of that house, appointed to investigate the affairs of the post office department.

Post office department, March 24, 1835.

To the speaker of the house of representatives:

It is with the deepest reluctance that the undersigned is compelled to appear before the public in his own behalf, in vindicating himself from aspersions alike unanticipated and unmerited.

The course pursued by the committee of the house of representatives, in the investigation of the post office department, has been so directly at variance with that sacred charter of our rights, the constitution of the United States, that no other alternative remains, than to seek, through the house of representatives, that justice which has been denied by its committee. Had the constitutional right been extended to him, of being apprised of every complaint, and of being permitted to respond, or to assign the reasons for what the committee have represented as exceptionable, it might not have been necessary to have taken any further notice of their proceedings. But many of the most important subjects of complaint were concealed from the undersigned during the whole investigation, and were first made know to him by the publication of the report. The undersigned was frequently informed by members of the committee, that nothing of an unfavorable nature relating to the administration of the department, had been, so far as regarded himself, developed in the investigation; and in no single point on which the committee have been so lavish of their animadversions, was an opportunity given for explanation or defence. When an executive department of the government is thus assailed by a committee of a branch of the legislative department, it is but an act of justice, due to the executive, to the people, and to himself, for the head of that department to present the facts to the public.

The long train of reasoning upon the construction of laws—the legality or illegality of the practices which have always prevailed, which appear to bear the character of legal quibbles rather than of solid argument or practical utility—the complaints of ignorance, of a want of intelligence, of frugality, of system, of regard to public utility, are alike applicable to the undersigned, and to all his predecessors in office. But while they betray an ignorance of its practical exigencies, at least equal to what they affect to have discovered in others, they appear to manifest a strong propensity to point out imperfections, whether real or imaginary, without the slightest disposition to acknowledge any thing worthy of approbation.

To follow the committee through all their remarks, would be unnecessary. The object of this address, it is believed, will be as well attained, by noticing a few of the most prominent, as furnishing the general character of the whole.

The committee deny the lawful right on the part of the postmaster general to have made any improvement in existing contracts for the transportation of the mail prior to the passage of the law of March 3d, 1825; and they derive all subsequent right to do so, from a prohibitory clause in that law, which provides that "no additional allowance shall be made by the postmaster general to the contractor or carrier of any mail, on any route, over or beyond the amount stipulated in the contract entered into for the transportation of the mail on such route, unless additional service shall be required; and then no additional compensation shall be allowed to exceed the exact proportion of the original amount to the additional duties required."

The authority given to the postmaster general to provide for the transportation of the mail on routes established by law, the mode and frequency subject to the sole discretion of the postmaster general, which was contained in the former laws, and continued in the act of March 3, 1825, appears to have been regarded by every postmaster general, as conferring ample power to make such improvements as the increasing wants of the different sections of country should require, without waiting the delay of years for contracts to expire, and without violating the faith of the department, by annulling an existing contract. The section of the act of March 3, 1825, above quoted, appears to have been regarded by the late postmaster general, during whose administration it passed, not as conferring an original power, but as a restriction of the power which had ever been exercised, and the existence of which had never been called in question. The undersigned has seen no good reason for a different construction. He has viewed this subject in the same light as his predecessor appears to have done, and has acted on the same principle.

The practice which had long prevailed in the department, of receiving proposals to transport the mail on several different routes for one gross sum, is condemned by the committee. This practice did not originate with the undersigned, but it has been continued by him, and, in many instances, has proved highly advantageous, both in point of service and economy. The committee do not allege that it is unlawful; but they reprobate the practice because, as they allege, such bids cannot be tested by a comparison with separate bids for the same routes; and because it is impracticable to contrast them with other consolidated bids, to determine which is most economical and advantageous to the public. Their allegation in both cases, is the reverse of what experience demonstrates to be the fact. There is no greater difficulty in determining whether a gross amount for several different routes, is less than the sum of the lowest separate responsible bids on each of the same routes, than there is in determining whether one separate bid is lower than another; nor has any difficulty arisen in determining which bid is most economical, when different consolidated bids cover the same route. No case can be specified, in which a consolidated bid has operated to the prejudice of a separate bid for a single route, except when the acceptance of the consolidated bid proved a saving of expense to the department.

The committee deny the right of allowing a contractor additional compensation for any amount of increase in the weight of mails. This has never been done by the undersigned, except in cases where such increase of weight imposed upon the contractor services and expenses beyond what are stipulated in

his contract. If a contract is entered into, for carrying the mail over a certain route, on a horse, and the weight of that mail shall so increase as to render it impossible for a horse to carry it, he must either leave a part of the mail uncarried, or he must use two or more horses to transport it. But his contract does not require him to use more than one horse. He is then compelled to perform more service, and to incur greater expense, than his contract requires; and in such case it has been considered, as well by his predecessors as by himself, both lawful and equitable to make an increased allowance, provided it shall not exceed the *pro rata*. Or, if the original contract is to carry the mail in stages, this kind of transportation, from the year 1785, when the first provision was made in the United States for transporting the mail in stages, was intended to facilitate travelling; and it is still a stipulation in every contract for transporting the mail in four-horse stages, that the contractor shall provide suitable accommodation for conveying seven passengers in the stage which carries the mail. To these passengers the contractor looks for a considerable proportion of his compensation. When he enters into contract, he can comply with his engagement, by carrying the whole mail and the stipulated number of passengers; but the mail soon increases to more than a ton weight, and he must either carry it only in part, or he must exclude all passengers. But to exclude the stipulated number of passengers would be a violation of his contract, and in a point which would deprive him of a stipulated benefit, on which he is warranted, by the terms of his contract, to depend, in part, for the remuneration of his expenses. To perform the public service then, imposed upon him by increased weight of the mail, he is compelled to run an additional line of stages. But this is a service beyond what his contract requires; and unless, for this additional service, he shall receive an additional allowance, (always keeping within the *pro rata*), he must sink under the burthen. Many cases have occurred, in which claims for such services might be urged; but they have seldom been allowed, and never except when the case was so strong as to place the justice and equity of the claim beyond all possible doubt.

During the years 1830, 1831 and 1832, the proposals which were received, in pursuance of advertisements for carrying the mails, were opened, recorded and filed, by one confidential clerk. To enable him to accomplish this service, in proper time, a private room was assigned to him, and he began the work several days before the time had expired for receiving proposals. This course is reported by the committee as "exposing the subordinates in the department to temptations to violate their duty, and sure to bring down censure and suspicion upon the department itself." "What reasons," they say, "induced this change in the practice of the department, is unknown to the committee." It had before been the practice, not to open the seals of proposals, except such as had not the words "proposals" written upon them, till after the time for receiving them had expired; and they add, "as far as the committee can perceive, no adequate cause existed for the change." They did not inquire for the reasons of the undersigned, nor of the chief clerk, under whose superintendence the business was conducted. Had they done so, they would have been informed, that about eight days elapse between the expiration of the time for receiving proposals and the time of announcing the decision upon them; the greater part of which time is occupied by clerks, in examining, recording and filing them; and, at any time during this interval, any clerk employed has the same opportunity to violate his duty, by clandestinely introducing bids, or by the use of any other improper means, that he could have had before the time for receiving proposals had expired. When none of the proposals are opened till after the time for receiving them has expired, from eight to twelve clerks have been employed three or four days in opening and recording them; either of whom might, if faithless to his trust, convey intelligence to an anxious expectant of his being underbid, and bear from him, to the files, for record, such other bids as the expectant might be disposed to make; and if the fraud should ever be discovered, it would be difficult, among that number, to determine which was the guilty person. When the proposals are begun to be opened and recorded before the time for receiving them has expired, the whole is done by one individual; and if fraud should be detected, he alone would be held responsible for it. There is no reason to suspect that any one of those who have ever been engaged in this business has ever been faithless to his trust. These are the reasons for the former practice in relation to opening and recording proposals; but complaint having been made, and dissatisfaction expressed, in relation to this mode of transacting business, the method now in operation was adopted. It remains for experience to determine which shall be justly entitled to preference.

The practice of considering and accepting proposals for a greater amount of service than what is called for by the advertisement, is complained of by the committee. None of the predecessors of the undersigned appear to have discovered the evil which this practice is said to involve; and it has not been discontinued by the undersigned, because he has concurred with his predecessors in the belief, that real advantages have resulted from it. In all such cases, where the improvements proposed are of very considerable magnitude, the bids are first considered upon the proposition to perform the service according to the advertisement, and the decision is made upon that comparison; so that the proposals of others are not prejudiced by the improved bids. The lowest responsible bidder for performing the services according to the advertisement, is entitled to the first consideration, and to him the route is assigned. If his bid contain a proposition for improvements, it is a subject for subsequent consideration, whether the improvements shall be adopted; and, whether adopted or not, the decision cannot affect any other bidder, nor operate against individual competition. It is not contended that the practice is unlawful; and no good reason has yet appeared why the department should not avail itself of any benefit which may be derived from their consideration.

In the fall of 1829, an application was made to the department to give an increased expedition to the mail between York, Pa. and Hagerstown, Md. a distance of a little more than sixty miles, so as to run through in one day, instead of the contract time, which was two days. Inquiry was then made of the contractors on that route, to learn what additional expense would be incurred by the improvement. They answered, that it would require a considerable increase of stock, which would demand an increase of expense of at least $2,200 a year; and that unless that sum could be allowed for the improvement, it could not be made. It was therefore suspended. In the fall of the same year, a new arrangement was made with the contractors for giving increased expedition and additional certainty to the transportation of the mail between Washington city and Baltimore, which incurred an additional expense at the rate of $3,200 a year. These were the same contractors that were transporting the mails between York and Hagerstown. The service, according to the new arrangement between Washington and Baltimore, was performed with great fidelity, and much benefit to the country, during that winter. In the spring of 1830, another arrangement was made, by which the contractors were relieved from a part of the burthen of expense imposed on them by the arrangement of the preceding fall, and their additional compensation was therefore reduced from $3,200 to $1,000 a year, making a difference of $2,200. This saving being effected from the expense which the arrangements of the preceding winter had incurred, it was then determined to give the increased expedition before solicited between York and Hagerstown, and which had been withheld on account of the heavy expenses which were otherwise required for the exigencies of the winter. It appears that another company, who was associated with the contractors, claimed a participation in the additional allowance made between Washington and Baltimore; and the committee impute the reduction of the service and compensation on that route, and the improvement on the route between York and Hagerstown, to a disposition, on the part of the department, to interfere with the clashing claims of these individuals. "Indeed," say they, "they cannot but perceive that conflicting individual claims to the extra allowance on one route had their influence in bringing about the arrangement of May, 1830; they cannot regard that arrangement as the result of public considerations alone, but as superinduced, at least in part, by a wish to give one individual claimant an advantage over another." It is hardly necessary to make a remark upon the illiberality of this imputation, without the shadow of evidence to sustain it. The conflicting claims of the individuals, or their companies, never received a moment's consideration from the department. The examination of their articles of agreement was declined; and no opinion was expressed, directly or indirectly, on the justice or equity of the claims. The department had none but the contractors to deal with; and their agreements with individuals were never inquired into; nor had their conflicting claims or interests the slightest influence in this or any other official act of the department.

On the route between Philadelphia and Pittsburgh, Pa. the committee complain that the contract was made on an improved bid for running two lines a day over the whole route, instead of one, and with much greater celerity than was called for by the advertisement. In this, as in all similar cases, the decision was made upon the proposition for the services called for by the advertisement, and given to the lowest bidders, who were James Reeside & Co. The decision did not affect the rights of any other bidders; and the only question involved was, whether the improvement proposed should be made. If the demand for the improved service had been extravagant, it would not have been granted; but as the services proposed were of great utility, and the compensation reasonable, compared with the amount of service, the improved bid was finally accepted as a substitute for the other. The improved bid contemplated the running of one daily mail, in a much shorter time than had ever been done before, and the other daily mail to supply the intermediate post offices, and to carry the heavy bags of newspapers and other printed periodicals, to run through more slowly. The calls of the country for newspaper intelligence rendered it desirable that the periodicals should be conveyed in the more rapid line. This could not be done without a violation of that part of their contract which requires provision for the accommodation of seven passengers, because it would often exclude all passengers, and so deprive the contractors of that part of the remuneration for their services which had been secured by the stipulation of their contract. It was, therefore, imposing on them a service beyond what their contract required; and for this service, an allowance was made to them from April 1, 1832, to November 30, 1833, at the rate of $10,000 a year. The committee complain of this, as an act unauthorised by law. The equity of the allowance, it is believed, will not be questioned; and if that part of a contract which secures to the contractor the benefit derived from the carrying of passengers, is to be regarded

as sacred as that which requires him to transport the mail, then the lawfulness of the allowance will not be denied. This allowance was discontinued from 1st December, 1833; but, to show the earnestness with which the restoration of the service was solicited, the following letter is inserted:

"*Washington, January* 1, 1834.

To the hon. W. T. Barry, postmaster general of the U. S.

When we entered into our present contract for carrying the mail between Philadelphia and Pittsburgh, we engaged to run two daily lines, one to run through in *sixty* hours, the other in eighty-six hours. Our object was to carry the letter mails for the distributing offices and for places beyond Pittsburgh in our most speedy line, and to carry the way-mail and newspapers in the more tardy line; and such was our express understanding with the department.

"The mail had been formerly seventy-eight hours in going through by the most rapid conveyance; and all the mails had been light in comparison to what they have since become. You are aware, that the heavy newspaper mails from New York and the east, were formerly carried to Detroit and all Michigan, and the northern parts of Ohio and Illinois, by way of Albany and Buffalo, New York; but the increased rapidity of our mail, and others connected with it, furnishing a quicker conveyance to those regions than by Buffalo, all those heavy mails have been brought upon our line. This, though operating greatly to our own injury, we might have sustained; but the whole reading community—editors, politicians and merchants, as you may well recollect, finding their papers behind their letters, called loudly for as rapid a conveyance of their newspapers as their letters. You then directed us to carry all the newspapers for the principal offices, and for all places beyond Pittsburgh, in our most rapid line. The fulfilment of this, required us to increase our stock to nearly double its former amount on that line, besides depriving us of the ability of carrying by it more than half the number of passengers we had formerly been accustomed to; indeed there are *two* days in each week in which we are so heavily loaded with papers, that we cannot carry any passengers whatever. This is a burden imposed on us beyond what was ever contemplated by our contract, submitting [subjecting] us to a loss by the increase of expense, and decrease of passengers, of at least $24,000 a year. In our determination to sustain your department at any sacrifice which we could bear, we intended to perform the service without complaint, till the department should be in a situation to relieve us. But we find the loss so heavy, that we are beginning to sink under it. We therefore respectfully and earnestly pray you to make us at least a partial remuneration, as we are willing to bear a part of the sacrifice; and if you will allow us but one-half, say $12,000 a year, from this date, in addition to our original contract price, we shall be able still to perform the services required; otherwise we shall be compelled, by painful necessity, to discontinue the rapid conveyance of the papers, or sink under the attempt to fulfil your orders, and expectations of the public.

"The whole of west Pennsylvania, north Ohio, Indiana, Michigan and Illinois, are interested in the rapid conveyance of this mail; and though it would be our interest to return to the more tardy movements, we are aware of the clamor which it would excite, and the injury of reputation which both we and the department would sustain, were such measures adopted.

(Signed) JAMES REESIDE,
SAMUEL R. SLAYMAKER."

"We earnestly recommend that the whole of the present facilities of the mail from Philadelphia to the west, may be continued, and that the contractors may receive such additional compensation as may be reasonable for the services required of them. (Signed) WM. WILKINS,
GEORGE BURD,
CHAS. A. BARNITZ,
J. MILLER,
R. BOON,
J. B. SUTHERLAND,
E. WHITTLESEY,
HARMAR DENNY."

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Though the financial condition of the department has hitherto prevented the restoration, yet it will be seen from the above, that it has been strongly urged by eight honorable members of congress, whose constituents were interested in its restoration; and among them is the honorable Elisha Whittlesey, of Ohio, one of the minority of the committee who signed that report which sets down the whole of this expense as belonging to the "account of improvidence." When an honorable representative can earnestly recommend a measure as highly beneficial to his constituents and to the public, and then report to the nation that same measure as an act of "improvidence," it is not difficult to estimate the amount of credit which is due to his sincerity; yet this is but a fair specimen of the general candor of that report. But the attention of the undersigned is more immediately directed to the report of the *majority* of the committee, from whom he had anticipated justice and candor.

The committee complain of two or three cases, in which contractors have received credit on the books for a greater amount of services than they have performed. The rule of the department is, when additional services are required, for the contractors to obtain the certificates of postmasters, as the evidence of such performance, before payment is made or credit given them in their accounts. So carefully is this rule observed, that in many cases large amounts are withheld from the credit of contractors for many months together, when it is known that their claims are just—at least, in part—because of the want of some formality in establishing them, or in ascertaining the exact sums to which they are entitled; and this circumstance alone is the cause why the books of accounts do not in all cases exhibit the true condition of every person's account; a circumstance which the committee have so highly colored and so profusely censured. But with all this care, it has happened, in the great mass of business done in the department, that, in some few cases, that formality has been neglected; and in two or three instances, there have been placed to the credit of contractors larger sums than they were entitled to. But it is an invariable rule, in every such case, when the error is discovered, to recharge such over credits, and deduct their amounts from subsequent payments becoming due to the contractor. This has been uniformly done; and with such promptness, that not one cent is known to have been lost by means of such errors; certainly not since the administration of the undersigned.

David Dorrence was, from June 1, 1831, to December 31, 1832, contractor for transporting the mail between New York and New Haven, at a compensation of $10,000 a year. The committee complain of his having received an additional allowance of $700 a year for supplying Mill river post office and for running in the night. In this statement they have not confined themselves to matters of fact. They may not have known that their statement was not true; but their secrecy was the cause of their ignorance of the fact; for if they had informed the undersigned of their apprehensions of an extravagant allowance on this route, they could have been put in possession of the particulars. There was a post office at Mill river which the contract did not require him to visit. It increased the distance, and required an increase of expedition to perform the trip within the same time. For this increased service, the contractor received an additional allowance of 400 dollars a year, and not 700 dollars, as stated in the report. They also complain of the allowance having been made without a certificate of the postmaster, certifying that the contractor supplied that office. The best of all evidence was in the department that the contractor did supply that office. The postmaster at Mill river rendered his account of postage on letters regularly received at his office, and paid over his balance to the department; and this was stronger evidence than any certificate could furnish, that the mail regularly visited his office. The minority of the committee (p. 119) also state, that after the proposal or contract with Lovejoy and Wittington to carry the mail from New York to New Haven was annulled, a verbal contract for the same service was made with David Dorrence, of Pennsylvania. No such verbal contract was made for the service as represented by the minority; but, on the contrary, a written contract, in the usual form, was made with said Dorrence, on the 27th of May, 1831, and executed on the 31st of the same month, which contract is now on the records of the department, and the book containing it is believed to have been in the possession of the committee when this case was investigated. Doubtless, however, the contract itself escaped their observation; but an inquiry into the case would have brought it under their examination.

In 1829, a contract was made with E. Porter and others, to transport the mail for the term of four years, from the 16th November, 1829, between Mobile and New Orleans, in steamboats, three times a week, for $25,000 a year. It was represented by the contractors to be a losing concern. Many disasters had attended their enterprise, and they were desirous to be released from it. The committee do not pretend that the compensation was extravagant, but they say the contract was made without advertising, which, they assert, is "unlawful and wrong." It is to be regretted that the committee, in this case, should have been so bent on censure as to lavish their animadversions upon a point that had no existence. "This contract," they say, (the contract made in 1829) "was made without advertising." The allegation is not correct. This route was regularly advertised, and on the advertisement several proposals were received, among which was the proposal of the company with whom the contract was made; and the contract was made on the accepted proposal which had been received in conformity with the advertisement. If the committee did not know the fact of its having been advertised, it was because of the veil of secrecy which they had drawn around their proceedings. Had they informed the undersigned of their doubt on this subject, or made inquiry of him concerning it, he would have shewn them the printed advertisement for this route, filed in the book of recorded proposals. When but half the term of this contract had expired, it was deemed expedient to give to New Orleans a daily mail. To effect this object, upon the most economical terms, an agreement was entered into with Mr. Porter, who had become the proprietor of more than half the stock employed in the performance of the route, to increase the number of trips from three to seven in a week, at an increased compensation of $15,000 a year; raising the whole amount from $25,000 to $40,000. A *pro rata* increase, which might have been lawfully made, would have amounted to $33,333; making, for the entire service, $58,333 a year; but the object was secured for an increase of only $15,000, which was much less than half the *pro rata*. The first contract was not annulled. The arrangement for the increased service was made by consent of a majority of the interest involved in it; and a new contract was drawn and executed by mutual consent, for the purpose of securing the individual responsibility of the person, who, from his amount of interest, could control the whole.

In the many cases referred to by the committee, not an instance is given in which an increased compensation has been allowed to a contractor, except for additional services; and in no instance, where the *pro rata* can be ascertained, has the allowance exceeded the *pro rata*.

The construction given to the law by the committee is entirely novel, and contrary to the concurrent opinions of the undersigned and all his predecessors; and according to the general construction, and the usages founded upon it, there is not an instance pointed out, in which the law has been violated.

The mail contracts are kept and preserved in the manner that the last twenty years of experience in the department has approved as the best. They are arranged in alphabetical order and bound in books. This is necessary to give facility to reference, which has constantly to be made by the officers and clerks of all the various branches of the general post office. To give greater publicity to all orders making changes on the contracts, entries of such changes are made on the contracts themselves. Where frequent changes have been required upon routes, numerous entries are necessarily made on the contract, especially where several routes are embraced in the same contract. The making of these entries, instead of being the subject of reprehension, is nothing more nor less than a faithful performance of duty on the part of the clerk keeping the contract books. Other records of contracts, and the alterations ordered upon them, are kept in the department, of which the committee were ignorant, as is evident from their remarks—which would have been readily exhibited if they had been required.

The *minority* of the committee comment upon the contracts of John Magee & Co. for the purpose of fortifying their assertion, that the difference paid to these contractors between their bid to carry the mail as advertised, and to carry it according to the improved mode suggested by them, "is no better than [so much money] wasted by the department." That this assumption is utterly groundless, can be readily shewn by a brief reference to the testimony. It is an uncontradicted fact in evidence before the committee, that the compensation given the contractors under their contract, does not exceed the moderate average rates of pay for like service in the northern and middle states. It is in evidence before them, from a source entitled to the highest respect, that the service in the improved form, as finally contracted for, was better worth to the department and the public, the sum it was put at, in the bid and contract, than was the service as advertised at the amount asked for it.

A tabular statement is embraced in the minority report, for the purpose of showing that the mail is carried a less distance annually under the improved bid, than under the advertised proposals. The deceptiveness of the comparison thus made, is exposed by the fact, that five routes, two of which are daily ones in four-horse post coaches, two in stages, twice and three times a week, and one on horseback, once a week, are omitted in the calculations under the head of the improved bid, although taken into the calculation under the advertised proposals. These routes, as well as the rest, were embraced in the improved bid, and duly placed in contract, all of them, to Magee & Co. or their assignees. But these are not the only errors of the statement. There is omitted in the calculations under the improved bid, the daily mail in four-horse post coaches, from Penn Yan to Geneva; and the daily mail from Geneva to Bath, is calculated as running only four times per week. Such inaccuracies must create distrust in the statement on which the minority base their argument. Whilst, on the other hand, the testimony shews that the department, in accepting the improved bid, adopted the best and cheapest mail arrangement, and paid the contractors no more than a moderate compensation for their services.

There are in operation in each year 2,300 contracts. The committee have questioned the proceedings of the department in only ninety, of those embraced within a period extending from 1829 to 1835; that is, less than nine out of every thousand. The transactions in relation to those contracts, from which the committee appear to have drawn their corollaries, are very small, when compared with the immense mass and variety of its other business and interests.

The concluding remarks of the committee are general, and therefore do not admit of any regular specification of facts to disprove them. They purport to be given as corollaries from the report, and are alike applicable to every administration of the department. But the propositions contained in the report are shewn to be factitious; and therefore they establish no corollaries. They are without proof, and without foundation. The committee have not noticed a single act of the department as worthy of approbation. Is it because none can be found? Or is there an indisposition to acknowledge them? More than three-fourths of the improvements made in the transportation of the mail since the undersigned came into the department, have been done much below the *pro rata* expense; and the average expense for transportation is less than at any former period. The annual transportation of the mail has been nearly doubled; and the transportation in steamboats and stages is nearly three times as great as it was in 1829. The number of post offices has been increased from 8,000 to 10,693. The revenues arising from postages have increased more than fifty per cent. The losses known to have been sustained by mail depredations and robberies within the last five years, do not exceed the amount of what had, in former time, been sustained in one year. System and organization have been given to the receipts and payments of moneys, so as to guard against individual responsibility or temptation. Lines of stages have been established to the western boundary of Missouri; to St. Augustine in Florida; through Indiana, by the seat of government in that state; through the whole territory of Michigan and state of Illinois, from Detroit to Chicago, and from Chicago to St. Louis, in Missouri. The mail is transported between this place and New Orleans in half the time which was formerly occupied. Lines of post coaches have been established from Nashville to Memphis, on the Mississippi river, in Tennessee; from Tuscumbia, in Alabama, to Natchez, in Mississippi; from Tuscumbia to Tuscaloosa, the seat of government in Alabama; and from Tuscaloosa to Montgomery; completing a direct line from Nashville, in Tennessee, and all the other western states, to the city of New Orleans. A semi-weekly line of two horse stages has been improved to a tri-weekly line of four-horse post coaches, from this city, through Lynchburgh, in Virginia, Salisbury, North Carolina, Yorkville, South Carolina, and Washington, to Milledgeville, in Georgia. The routes from Augusta to Savannah, in Georgia; from Augusta to Charleston, in South Carolina; from Charleston to Columbia, the seat of government in that state; and from Milledgeville, in Georgia, to Mobile, in Alabama, have all been improved from tri-weekly to daily lines of post coaches. A tri-weekly line of post coaches has been established from Augusta, on the northern border of Georgia, through that state, to Tallahassee and to Pensacola, in Florida. The mails from the seat of government, and from the Atlantic cities, have been so expedited as to return to Cincinnati, in Ohio, to Louisville, in Kentucky, to Nashville, in Tennessee, and to St. Louis, in Missouri, in two days less time than was formerly occupied; and to Nashville they have improved from a tri-weekly to a daily line. These are but few among the many improvements which have been made in mail transportation and in facilitating the transit of travellers. The impetus given by the department to the spirit of improvement in the celerity and convenience of travelling, is every where felt and acknowledged. The expense of these improvements is but little, compared with their utility; and the public have enjoyed the benefit. They have imposed no tax upon the country. Not a cent has been drawn from the treasury, nor was it ever anticipated or desired from that source. The improvements, taken in the aggregate, have cost much less than the ratio of expense for the service before performed. They incurred a debt, which, at its greatest amount, was less than one-sixth part of a year's revenue of the department, and the increase which they are giving to the revenue, is rapidly liquidating that debt.

While the committee were giving new constructions to the law, the undersigned was quietly acquiescing in what he could not doubt to be a violation both of the constitution and law, on their part. The constitution does not recognise the power of either house of congress to act when they are not in session. When the session terminates, the legislative authority of the house terminates; and the power to act by a committee, when the power of action with the constituent of that committee has ceased, can never be admitted. A commission might be established by law, or by a joint resolution of the two houses, constitutionally passed; and to the authority of such a commission every patriot would cheerfully bow; but the power of one branch of the legislature to constitute such a commission, to act during the recess, in the exercise of powers undefined, and in their proceedings subject to no principle of law, is unknown to the constitution; and every act of such commission, or committee, is regarded as a violation of the constitutional rights of the officer or individual who may be affected by such act. The power exercised by the committee, of trying an officer or individual—finding a verdict, and inflicting upon him the heavy penalty of public censure, without confronting him with the witnesses against him—without giving him an opportunity of being heard in defence—without apprising him of an accusation against him—is regarded as a violation of the constitution and law, and destructive of the vital principles of our government. In all this, the undersigned has quietly acquiesced; and, as the only means of being heard, he now presumes to address himself to the representatives of the American people. To the judgment of an enlightened public he is willing to submit. Let the facts, as they exist, be known. Let every official act of his life, without color or comment, be spread before the people, and in their decision he will cheerfully acquiesce. Conscious of the rectitude of intention which has always governed him, he cannot consent to the sacrifice of his reputation, without an effort to sustain it. It is all he ever sought, and all that he has acquired. It is more dear to him than life or fortune—it is the best legacy he can bequeath to his children; and while no inducement could persuade him to forfeit the claim, he confides in the justice and magnanimity of the house to sustain him in the effort to confirm to them this invaluable bequest.

I have the honor to be, with high regard, your obedient servant,

W. T. BARRY.

MR. WHITTLESEY'S REPLY

TO MR. BARRY'S APPEAL.

To the editor of the U. S. Telegraph.

Canfield (O.), March 21, 1835.

SIR: Having received a copy of Mr. Barry's letter to the house of representatives, "reviewing the report of the select committee of that house, appointed to investigate the affairs of

the post office department," and perceiving it contains some strictures on my own conduct which are calculated to mislead, the public mind, I must request the use of your columns to make a very brief reply to the matters which more immediately concern myself, and the report of the minority.

Mr. Barry in the introductory part of the letter, "appeals to the house of representatives to do him that justice which has been denied by its committee." If by this he intended to ask, that a committee of investigation be appointed to re-examine the subjects investigated by the select committee, appointed on the 30th of June, 1834, it might be improper to reply at large to his "review," until such committee should be appointed and make their report. If Mr. Barry has not had a fair hearing, he certainly ought to have one, if he desires it. If, however, he knew the house could not take any measures as to his letter; he having withheld it until the last evening, if not until the last hour of the session, he surely can claim no such forbearance. His letter then is an appeal to the public, founded on his own declarations, wholly unsupported by proof. Had the letter been presented at an earlier day, it could have been discussed, and its fallacies detected. He complains "that the constitutional right has not been extended to him, of being apprised of every complaint, and of being permitted to respond, or to assign reasons for what the committee have represented as exceptionable."

Without admitting his constitutional rights to have been in the least degree violated, I would ask, has Mr. Barry forgotten how many honest, intelligent, and worthy officers he has thrust from office, without any complaint against them, except that they were what they professed to be—freemen?

And notwithstanding this, *he* complains that *his* constitutional rights are violated, because *his* official conduct was investigated by the house of representatives, acting as the grand inquest of the nation, by its committee, when the investigation was based, principally upon the books and papers in his department, and upon his official reports!

Mr. Barry errs in supposing that charges were preferred against him, and that testimony was examined to sustain them, and a trial was had. The investigation was only preliminary. The tribunal was one of inquiry. A trial may or may not follow. If a trial shall be the consequence, the constitution secures to him the privilege to confront the witnesses. He complains that the proceedings of the committee were concealed from him, and were kept a secret. He must be conscious that the committee proceeded, as all other committees of investigation have done. There was no secrecy or concealment. The *people* have a right to complain, when a committee of the house of representatives, appointed to investigate the proceedings of an important department of the government, has called on the head of that department for information, that it has been withheld. Several resolutions which were adopted by the committee, and transmitted to the postmaster general as early as September and October, remain unanswered. He complains of secrecy and concealment, when *he neglected* to answer the call of the committee as to the books of the department; he withheld information from the representatives of the people; and now calls on the people to justify *him*. The exception taken, that the house of representatives has not the power to appoint a committee to sit in the recess of congress, is an after-thought, and one perhaps which would not have been urged by him, if the committee could have felt itself justified in exonerating the department from all censure.

Mr. Barry, during the investigation, did not doubt the authority of the committee to sit in the recess of congress. On the 4th of November, the committee passed a resolution directing the postmaster general to furnish the original letters and papers, concerning the removal of H. Safford from the post office, at Putnam, Ohio, and the appointment of J. Herron.

In answer to that call, on the 20th of November, Mr. Barry said: "A similar call was recently made by the committee of the senate, whose authority to inquire into the motives, and reasons which might have influenced a department of the executive branch of the government in the exercise of the power vested in it by law, I could not recognize. My answer to that committee, I have the honor to enclose. But there is a difference in the authority of the two houses, from whose committees the calls have emanated. The house of representatives constitutes the grand inquest for impeachment, and when acting with a view to that object, may rightfully examine the inducements which were presented to the postmaster general for making a removal, or appointment, and his motives in performing such act; and although I have not been apprised of any such object in calling for these papers, yet presuming in this case the call was made for a legitimate purpose, within the scope of the powers of the committee, I have thought proper, on the present occasion, to furnish it, with the whole of the correspondence required by their resolution, without excepting any portion of it whatever."

In this quotation there is an express recognition of the powers of the committee legitimately exercised in the recess of congress. If he supposed the house of representatives had not the right to constitute a special committee to sit during the recess, why did he provide a room for it within the general post office? and why, did he answer *any* of the calls of such committee?

If the committee, regardless of truth and of their duty to the people, had said "all is well," Mr. Barry would never have doubted its powers.

Mr. Barry notices three cases in the minority report. The contract of David Dorrence on the books of the department, did not escape the observation of the committee, as he supposes. This case was examined by a portion of the committee, and the correspondence, so far as it was then received, was laid before the committee, and a subpœna asked for to enable the committee to proceed in the investigation. The majority of the committee declined to grant the subpœna, for the reason (as I understood at the time) that the examination of testimony should be brought to a close. After this, other letters were received in answer to inquiries previously made, relative to the proceedings of the department, in annulling the contract with Withington & Lovejoy, and in forming a new one, *ostensibly* with David Dorrence. The investigation of this case, whenever it shall be made, will show a clear and palpable instance of favoritism, wherein the department paid more than $14,000 per annum, when all the beneficial services, under the contract that had been annulled, were performed for seven thousand dollars.

The minority of the committee commented, in David Dorrence's case, on what was incidentally disclosed in the examination of Mr. Reeside & Co's combined bid, without examining the facts under a distinct head. Mr. Brown, in giving his testimony in Reeside & Co's case, attempted to implicate the proceedings of the department under Mr. McLean's administration, in order to vindicate Mr. Barry in annulling a contract for carrying the mail from Philadelphia to Pittsburgh, and in paying to Messrs. Reeside & Slaymaker an increased compensation for transportation on this route, without any contract, verbal or written, so far as the committee could learn, from the books of the department and the examination of testimony.

The minority stated, that a verbal contract was made with David Dorrence after the other had been annulled. Mr. Barry says no such verbal contract was made; and having thus asserted, in the same sentence, he substantially admits that a verbal contract was made on the 27th of May, 1831, which was not executed by the parties until the 31st of the same month. The principal object of the committee in alluding to that case, was not only to show that Mr. McLean had not been guilty of the negligence imputed to him, but that Mr. Barry had suffered the contract of Withington & Lovejoy to continue after he came into office, nearly two years and two months, without its being reduced to writing and executed. This Mr. Barry does not attempt to deny. He passes over the main point, and seizes hold of a transient and unimportant remark as to the verbal contract of David Dorrence, which the minority did *not* allege had remained *any* particular period in parol. The grossness of the imposition attempted to be practised by Mr. Barry, in his comments on that part of the minority report which relates to the contract of John Magee & Co. is without a parallel in the history of the most corrupt governments.

John Magee & Co. put in proposals for conveying the mail on thirty-eight routes, at $13,608. All of these routes were awarded to them at that sum. They put in also an improved bid, as it is called, in which they proposed to carry the mail on the said thirty-eight routes, in a manner different in some instances from what was mentioned in the advertisement. They offered to carry the mail according to this improved bid, for $26,082. Before the contract was executed for the lesser sum, the improved bid was accepted. Five of the routes were assigned, or let to other persons, for which the department pays $2,321 per annum.

John Magee & Co. carry the mail on the remaining thirty-three routes, and receive an annual compensation of $23,761. The tabular statement referred to by Mr. Barry, shows that the mail on these thirty-three routes, for which $23,761 are paid, is transported a less number of miles, according to the subsisting contract, than the contractors proposed to carry it for on all the thirty-eight routes, and for which service they were to receive but $13,608. It shows the following result also:

They offered to carry the mail on horse-back, according to the advertisement	73,684 miles.	
They contracted to carry it on horse-back, according to improved bid	58,396	
They offered to carry it in four-horse post-coaches, according to the advertisement	338,976	
They contracted to carry it in four-horse post-coaches, under the improved bid	289,680	
They carry the mail by the contract on horse-back, a less number of miles than proposed under the advertisement, by miles		15,288
Less by the contract in four-horse post coaches than was proposed in the advertisement, by miles		49,296
		64,584
They proposed to carry the mail in stages, according to the advertisement, miles	16,016	
They contracted to carry it in stages, under the improved bid, miles	21,966	
They contracted to carry it in stages more miles than proposed under the advertisement		5,950
		58,634

It is conclusively shown, therefore, that this company carries the mail under the contract 58,634 miles *less* per annum, on thirty-three routes, for which they are paid $23,761, than they offered to carry it on thirty-eight routes for $13,608. If the minority of the committee had included the five routes, and had

ascertained how many miles the mail was carried on them, the case would have been much more glaring against the department; for the contractors had offered to carry it on the thirty-eight routes, which included the five routes, for $13,608, and they now receive, for carrying it on thirty-three of the same routes, (58,634 miles less per annum than they proposed), $23,761.

The minority stated this case so plain, that any person, capable of transacting business one day in a week, could not have mistaken the facts; and yet Mr. Barry speaks of the "deceptiveness of the comparison," because "five routes were left out of the calculation;" when their insertion would have presented the case more strongly against the department. It was a subject of deliberation whether these five routes should be embraced in the calculation or not. It was finally decided to exclude them, and thereby disarm all persons who might otherwise attempt to deceive the people by saying the minority had based their calculation on routes not included in the contract.

The company, in their improved bid, offered to carry the mail on the thirty-eight routes for $26,082; and on some of them more frequently than the department stipulated by the contract the mail should be carried. The full amount, however, is paid. The calculation was based on the requirements of the contract; because, when that was signed, sealed and delivered, it controlled the parties as to the services to be performed, and the amount of money to be paid therefor. This was substantially stated in the report; and yet Mr. Barry complains because the calculation was not made on the improved bid; and says, "such inaccuracies must create distrust in the statement on which the minority have based their argument." That is, Mr. Barry, by the contract, has released the contractors from services they offered to perform; and because the minority of the committee have not founded their calculation on the services thus released, the statement is to be distrusted!

These are only a few of the instances where the facts set forth and commented on in the minority report are perverted and misrepresented by Mr. Barry, in the letter referred to.

In noticing the introduction of my name by Mr. Barry in his appeal to the people, it will be necessary to refer to the report of the majority; as the paper that I signed is connected by him in his comments on that part of their report which refers to the contract for carrying the mail from Philadelphia to Pittsburgh.

Before the proposals for contracts to commence on the 1st of January, 1832, were advertised, there were two daily mails from Philadelphia to Pittsburgh. Notwithstanding this, Mr. Barry, in the summer of 1831, advertised for only one daily mail on that route. Mr. Reeside & Co. proposed to carry the mail daily for $7,000, according to the advertisement, or twice a day, and to extend route No. 1,170 to Wheeling, for $27,000 per annum. The latter compensation was given, and the majority of the committee comment on these facts as follows: "When the advertisement for these routes was prepared, two daily lines were running between Philadelphia and Pittsburgh, one in less than sixty hours, and the other at a slower rate.

"There is not the slightest reason for believing, and indeed it is not pretended, that there was any intention to reduce this service, under the new contract; yet the advertisement was for a single daily mail to be carried through in four days. To advertise in this way was to trifle with the subject. It did not indicate the intended service; and was a direct violation of the act of congress, which requires that the time of the departure and arrival of the mails, shall both be stated in the advertisement."

Mr. Barry, in his review of this part of the report, says: "On the route between Philadelphia and Pittsburgh, Pa. the committee complain, that the contract was made on an improved bid, for running two lines a day over the whole route instead of one, and with much greater celerity than was called for by the advertisement."

These quotations are made, to enable those who may not have the benefit of the two documents (but who may have Mr. Barry's review) to appreciate the statements it contains.

The committee condemn the deception practised by the postmaster general in advertising a daily line at a slow rate, when two lines were then running, and one of them at an increased speed; and when he did not intend to reduce the service or the speed of either line; yet, with their report before him, too clearly expressed to admit of a mistake, Mr. Barry in his review, represents the committee, as complaining "that two daily lines were run over the same route instead of one, and with much greater celerity than was called for by the advertisement."

Here is another sample of the accuracy of his statement, and of the candor with which he has addressed the American people.

Mr. Barry converted a contract of $7,000 per annum into one of $27,000, as mentioned: and then gave a further compensation of $10,000 a year, from April 1st, 1832, to November 30th, 1833, on account of an alleged increase of the weight of the mail. This allowance was made, on the representation of the contractors, without any proof whatever.

As postmaster general, he was required by law to report to congress all the contracts he had made during the previous year. On the 18th of April, 1832, he reported to the house of representatives that he had contracted with James Reeside, S. R. Slaymaker and J. Tomlinson, to carry the mail from Philadelphia to Pittsburgh, 302 miles, in four-horse post coaches daily, at the annual compensation of $7,000, and that he had contracted with the same persons to carry the mail in like manner from Pittsburgh to Washington, Pa. at $1,250 per annum.

When I signed the recommendation which Mr. Barry has published, and which I shall subjoin, I had no suspicion that he had "secreted and concealed" the facts, or that he had falsely reported them to congress. It was rumored, during the early part of the session of congress in 1833, that the mail facilities to the west were to be curtailed. Relying on Mr. Barry's reports, and feeling then, as I have felt at all times, a deep interest for my constituents and the country at large, on or about the 1st January, 1834, I signed, with seven members of congress, the following recommendation:

"We earnestly recommend, that the whole of the present facilities of the mail from Philadelphia to the west may be continued, and that the contractors may receive such compensation as may be reasonable for the services required."

On the 3d of March, 1834, Mr. Barry, in obedience to a call made on him, reported to the senate, that for carrying the mail on the routes mentioned he paid annually $27,000; and that he had, in addition to this sum, made an extra allowance of $10,000 yearly, from the 1st of April, 1832, to the 30th of November, 1833.

When I signed the recommendation mentioned, I repeat, I had no suspicion; nor had I the means of knowing that Mr. Barry was paying $28,750 more yearly than he reported to congress on the 18th of April, 1832, as the current disbursements on these routes. In presenting their views of this case, the minority of the committee of the house of representatives, after stating all the facts relating to the service performed and the compensation given, and after making the most liberal deductions, arrive at the conclusion that Mr. Barry, in the course of four years (the period of the contract), will have paid $62,740 41, more than he rightfully ought to pay; and this sum they set down under the head of "improvidence." Mr. Barry discontinued the allowance of the $10,000, on the 30th of November, 1833.

These are the facts of the case, and I will now advert to Mr. Barry's comments upon them. He says, "Though the financial condition of the department has hitherto prevented the restoration [of the $10,000], yet it will be seen from the above, that it has been strongly urged by eight honorable members of congress, whose constituents were interested in its restoration, and among them is the honorable Elisha Whittlesey, of Ohio, one of the minority of the committee who signed that report, which sets down the whole of this expense as belonging to the "account of improvidence."

"When an honorable representative can earnestly recommend a measure as highly beneficial to his constituents and to the public, and then report to the nation that same measure as an act of 'improvidence,' it is not difficult to estimate the amount of credit which is due to his sincerity; yet this is but a fair specimen of the general candor of that report."

Mr. Barry alleges that those who signed the recommendation strongly urged the restoration of the extra allowance. There is not an intimation in the recommendation that any allowance, or any compensation was to be restored. I did not know that any extra allowance had been made, nor that any curtailment had taken place; and of course I could not have recommended the restoration of that which I never suspected had been allowed. The recommendation speaks for itself. It appears the signers of it had been informed, that the mail facilities from Philadelphia westward were to be diminished or entirely cut off. Against this they remonstrated. The postmaster general had reported to congress that he paid $7,000 for a daily mail from Philadelphia to Pittsburgh. If there was more service performed than was exacted by the contract, and which was within the province of the postmaster general to direct, we recommended that it be continued, and that a reasonable compensation for such extra service be paid to the contractors. The law of 1825 had authorised the postmaster general to require extra service, and had restricted him to pay therefor no more than a *pro rata* allowance based upon the original contract.

That which is within the *pro rata*, is presumptively reasonable; and that which is beyond it, is unreasonable. The minority of the committee, in presenting the result of their reflections in this case (page 127-8), doubled the compensation for carrying the mails from Philadelphia to Pittsburgh, and on that principle found the "improvident" balance mentioned.

Mr. Barry's eulogists claim for him the character of "a high minded and honorable man." They do not pretend to deny that there have been great abuses in the department; but they say, *he* did not participate in them—for the reason, *I* suppose, "that the king can do no wrong, because he does no business."

If there is any apology to be offered for the many misstatements contained in Mr. Barry's letter, it is on that principle alone. If he be what his friends represent him to be, he could not have known the contents of his letter. No high minded honorable man would make false reports to congress, year after year, nor would he attempt to deceive the people.

With but the knowledge of the postmaster general's existing reports, when I signed the recommendation, I would sign it again; and with the knowledge of the facts again drawn from him, in his report of March 3d, 1834, I would again concur in the report of the minority of the committee; and trust I should stand before the public, fully justified for my "sincerity and candor." Very respectfully yours,

E. WHITTLESEY.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

We have had *two* failures of the mail east of Philadelphia, in the present week. Those from the south and west are quite as irregular.

—

It is stated in a way that is entitled to credit—that, on yesterday, Mr. *Amos Kendall* was inducted into office as postmaster general, in the place of Mr. *Barry*, appointed minister to Spain.

This has been a long time spoken of. Mr. Kendall has *ability* to manage the affairs of this great department much better than they have been—and let us hope that he *will* do it. The business of this office has been so conducted, that every man in the country had *cause* to complain of it—if receiving letters or papers. For ourselves, our losses, in consequence of its wretched mismanagement, have been large—very large, though we have not said much about it, believing it altogether a hopeless concern—whether in regard to the *public*, or to *private* persons.

—

Senator *Buchanan* gave lately at Lancaster, Pa. this toast:

"*Wm. T. Barry:* The eloquent disciple of Jefferson—the pure patriot and honest man. If his generous nature has been deceived by the wiles of the designing, the energy and talent with which his department is *now* administered, will soon relieve it from every difficulty."

[This had reference to certain reforms that Mr. B. was making in the *financial* part of his duties.]

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Ten times the amount of foreign capital has been introduced into the United States, that was invested in the bank of the U. S. at the time of the veto—and more than ten times that amount had been introduced before. We do not complain of that. Capital is wanted in a new and rapidly growing country. Pennsylvania "*is sold to the British*," as Washington city is to the *Dutch*—but the money, if rightfully expended, was rightfully borrowed. In New York there are very large investments of English capital; one of the *deposite* banks belongs, "body and breeches," to a "most noble marquis"—except about a sufficiency to form a board of directors. This is all well. And we see that at New York a loan is authorised of two millions and a half of dollars to bring in the Croton river, which is to be raised in Europe—and we say that this is well, also. Louisiana is said to have a banking capital of 50,000,000 dollars*—(15 millions incorporated since the last year), a large part of which is foreign. We have no horror of FOREIGN CAPITAL—if subjected to *American management*.

—

The "Ohio Repository" says—

Last year the "no bank party" in Ohio, chartered 8 or 10 new banks. This year the legislature refused to charter any banks.

The Ohio Trust company stock, (one of the bantlings of the "no bank party" in Ohio) is quoted in New York at $123¾ for $100 paid in—owing, it is said, to large orders from England.

—

It is probable that the banking capital of the several states has been increased not less than *fifty* or *sixty millions*, since it was determined that the bank of the United States should be put down. The next year will add a great deal to this amount, if there be not a "blow up" in the mean time!

—

Wool now commands a very high price. Many of the farmers in Vermont and New Hampshire, who had kept their wool in anticipation of a rise, have not been disappointed. Lots of Saxony have sold as high as 76 cents per lb. in the country, and the grades of merino and mixed vary from 42 to 65 cents.

A Claremont, N. H. paper says that Dr. Leonard Jarvis, of that town, sold, a few days since, 18,000 pounds of wool—all of his own raising, and received for the same about 14 thousand dollars.

It is stated in the New Bedford Gazette, that a company had been formed in an eastern city, who has sent an agent to Europe to purchase two hundred thousand pounds of wool, which they intend to sell, even at a loss, for the purpose of depressing the price of the article, the ensuing season. The Gazette cautions the American farmers not to dispose of a lock of the new clip until their fleeces shall find that level in the American market, which they would naturally find at all times but for speculative schemes, like the one here alluded to.

☞And what are 200,000 lbs. of wool, compared with the quantity demanded? There are 20 millions of sheep—and their product is 50 millions of pounds of wool! We know well the effect of a small supply or deficiency to to act on prices—*but the amount stated is too insignificant.*

It appears to us that the idea has been started to bring about ill blood and enmity between the farmer and the manufacturer—and, by dividing, to destroy. But "it is like the tale of an idiot, twice told"—200,000 lbs. indeed!

There are no classes of persons to whom we can more strongly apply the old saying, that "*united we stand, divided we fall*," than to the growers and manufacturers of wool.

An eastern paper says—

There was imported into the port of Boston, during the year 1834, three millions five hundred and fifteen thousand pounds of wool, that cost less than 8 cents per pound, and free of duty; one hundred and thirty-three thousand nine hundred pounds, costing over 8 cents per pound, and dutiable.

An idea has been started that the tariff laws should be so remodelled as to import wool costing not more than 15 cents per lb. *That* is the price of wool in *Van Dieman's Land*—the quality of which is excellent, and the quantity large and increasing.

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The elections in *Virginia* are now all over—but the returns are not in. The "Enquirer" claims a majority—from 14 to 20; and the "Whig" states that "*thus far*," 43 Van Buren delegates, 41 whigs, and 3 White members have been elected, without counting the elections that will, probably, be contested. We know not how it is. *Nous verrons.* It will not, perhaps, be settled until the legislature meets, as to the main point at issue.

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An attempt was made, on Friday, last week, to set fire to a back warehouse connected with the great establishment of the Messrs. Keener, druggists, on Market street. Baltimore—and another, on the morning of Saturday following, to the *Exchange!* Each took effect—but were soon discovered, and extinguished! There is "no mistake" about these things.

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Adams, the colored man, was found guilty of murder in the first degree, for having killed capt. Tilden, of the brig Susan, of Baltimore, in the port of Aux Cayes—before the district court for Maryland, a few days ago. He will be sentenced to-day.

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Thirty-two shares of the Canton stock were sold at auction this afternoon at $210. We understand that an agent arrived here this morning, post haste from New York, and snapped up all the shares he could lay hands on at from $205 to 215. When no more were to be had, he gravely communicated the information that the Canton company stock had suddenly risen to $260 in New York.

[*Boston Mercantile of Wednesday.*

The rage for speculation in stock continues, and all the novices, the shrewd as well as the capitalists of thirty years standing, are crowding for "a place to see the review."—Yesterday the speculators went over from Canton to South Cove, the shares in which were run up to a most astonishing height. The Transcipt says they sold for $775. We have heard a much larger sum named, by a broker who negotiated

*In the New York Courier & Enquirer.

a sale of ten shares for one of the original stockholders. They sold at public sale on Wednesday for $600. [*Boston Gaz.*

Verily—this is truly the season of speculation—260 dollars, for that which has its par at 54! "Building lots" enough have been sold in Boston, New York, Philadelphia and Baltimore, and their neighborhoods, to accommodate about six millions of persons!

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The branch bank of the United States at Washington has commenced the operation of winding up its concerns preparatory to the expiration of its charter. [*Alex. Gaz.*

So also at Portland, Maine. The bank will, so for as it can, change its discounts into domestic bills—to be paid at maturity. Under such an arrangement, it may still do, with perfect safety, a very large business.

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The public school system works beautifully in Baltimore. It goes on "conquering and to conquer"—and every day gains strength. The joint committee on education of the city councils to whom was referred various matters connected with that subject, respectfully report:

"That they have in a body recently visited the several public schools in the city, accompanied by the intelligent and enterprising commissioners thereof, and have found in said schools many incidents of high moral pleasure, and generally matters of public gratulation; that they were gratified with the arrangements adopted by the commissioners, and must say that too much encomium cannot be awarded to their commendable efforts, who placed the schools in a condition far surpassing in utility, that which formerly existed in the state of Maryland. In regard to the internal arrangements of the schools, so far as pure air and health are concerned, your committee believe the houses not surpassed by any in the city. The course of study adopted comprises reading, writing, grammar, geography and arithmetic, history, the first principles of algebra and mensuration; and in the female schools, needle work is also taught; these are inculcated in the simplest and most agreeable manner, and enforced by a moral discipline adverse to any thing like personal chastisement.

The different teachers deserve much praise for the ability, zeal and industry which they have brought to bear on their laborious avocation. There are at present upwards of one thousand students in said schools, consisting of 635 boys, and 365 girls. Your committee are gratified to learn that the schools continue to augment in number, in consequence of the prejudice heretofore existing against them having been considerably diminished, and the improved arrangements adopted by the commissioners having occasioned a more ready inculcation of the rudiments of education.

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The treasurer of Virginia reports the sum of $342,589 84 in the Richmond banks to the credit of the treasury, on the 1st of April.

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Two large covered *boats* have arrived at *Pittsburgh* from Jamestown, *New York*—one of them laden with *patent* window sashes, the other with *patent* wooden buckets and keelers, and an excellent market was found for each—200 *dozen* of the sashes being bought by a merchant of *Galena*, at the lead mines on the Upper Mississippi, being, in all, 2,000 miles of water navigation when they arrive there! The owner of the buckets, &c. was equally successful—and both boats would return with full cargoes of window glass, nails and paints, &c. the productions of the industry of *Pittsburgh!* There is also a *patent* sash, and a bucket factory, at Fallstown, in Beaver county, Pa.

The Pittsburgh Gazette says—"One mercantile house in our city sells upwards of a thousand dozen of window sash per annum, with a rapidly increasing demand."

These are among the "Yankee tricks"—that are so much talked of!

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The "*Globe*" of the 27th ult. has the following—

"WALSH AND NILES.

These worthies insert in their columns the declaration of one of the ablest of their friends at Providence, contained in a letter to the Boston Gazette, viz:

'WE HAVE THUS LOST OUR SENATOR, AND THE STATE BESIDES, AND THUS, WITH TEARS IN MY EYES, AND WORMWOOD IN MY GIZZARD, DO I CURSE AND QUIT.'

And yet these same *ingenuous* and *honest* editors, Walsh and Niles, attempt still to delude their friends with the idea that there is great uncertainty as to the whigs having lost the Rhode Island election!! When the Virginia polls are closed, the whigs will give up Rhode Island."

We have heard a story about an Indian's selling a *deer*, that he said he had killed. The purchaser found the *creek* and the *tree* that he described—BUT NO DEER; and, on being accused with falsehood, the son of the forest said, that "*two* truths to *one* ——, was very good for an Indian." But this is only *one* to *one!*

What Mr. Walsh has said on this subject we do not know—he is able and willing to defend himself, if he thinks it worth while; but we made as perfect a "non committal" on this matter as it was possible for any one to do—offering no remark of our own, bearing upon it—using only the worn out "setting pole" of our old friend Mr. Ritchie—"*nous verrons;*" closing our *quotations* with a statement which says, "we are now enabled to state with certainty that the late election has resulted in the choice of gov. Francis, and a large portion of the Jackson senate," &c. But—"*nous verrons*," again!

Mr. *Blair* will be kind enough to put on his spectacles when he reads the Register! He needs them. See last number, page 129.

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Mr. *Wilson*, of the "Herald," is endeavoring to persuade the people of *Steubenville* of the importance of a supply of pure water from the Ohio, such as Pittsburgh and Wheeling possess. The *highest* estimated cost is 40,000 dollars—and it is fairly shewn that the insurance against fire would be reduced in that sum. Indeed, at *Wheeling*, soon after the works there were finished, it was computed that, at *one* fire, was saved the whole amount of the cost of the works! Where a supply can be obtained so cheaply, it is folly indeed not to have it. In Wilmington, Del. it is supposed that the supply of the city with water from the Brandywine, (abundant and pure), will, at an early day, discharge the debt incurred, and relieve the city from all other taxation!

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At a public dinner given at Raleigh, one of the regular toasts was—

John Marshall, chief justice of the United States—The talents of BACON, the learning of MANSFIELD, and the purity of HALE.

[It is a circumstance worthy of being noticed, that when this toast was announced, without an intimation to that effect, the whole party arose almost simultaneously, and drank the toast standing—an emanation of true gratitude to one who has so exalted his country's name in the eyes of the world].

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The "Louisville Journal," of the 6th instant says—

The new chancellor, George M. Bibb, took his seat on Monday last, and organized the court. He appointed A. T. Bunley, clerk, and Charles Clarke, master. These appointments are excellent and give general satisfaction.

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The China and fig trees in Georgia and South Carolina, have been generally killed by the severe weather of the past winter.

St. Augustine, April 8. Fears have been entertained that our orange trees were all killed by the severe cold of the 8th February last, but we are happy to inform our readers that the injury done, though severe, is not so great as has been anticipated. We are informed that a large number of trees on Fish's island are putting out shoots from the large branches, and a number of trees in the city are putting out.

The weather has been extremely dry and cool, which has greatly retarded the process of vegetation.

It is melancholy to look upon the wreck of what was a short time since, our pride, and in the place of green foilage, see nothing but dry branches; but a few April showers will have a great effect in restoring our trees to their wanted beauty.

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The "Troy Whig" of the 25th ult. says—

We had this morning a very smart little snow storm—which we suppose all our city readers know. We state this fact, therefore, not so much for the sake of domestic intelligence, as for the purpose of informing our distant readers of a new arrival among us.

And the Frederick (Maryland) *Examiner*, says—

Yesterday morning, the 28th of April, the Catoctin mountain, several miles north of this city, was covered with snow. The temperature of the weather, whilst we write, is more like that of November than April, and every thing around us is marked with the effects of a season of unusual backwardness. The peach trees have not shown a blossom, and many persons apprehend the destruction of the tender buds of the apple and other fruit trees.

The U. S. sloop of war Peacock, capt. Kennedy, has sailed for the eastern seas, having on board E. Roberts, esq. diplomatic agent, who is bearer of the ratified commercial treaty between this country and Siam, and also between this country and the sultan of Muscat.

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Mr. *Clayton*, of Cincinnati, having resolved to do what no other person had done, ascended, in a balloon, at 5 P. M. *and let it go until its gas was exhausted.* It is sufficient to say, that, in *nine and a half hours*, he landed on the top of a mountain in Virginia, more than *four hundred miles* distant from the place of his departure! It was very cold—the wind blowing severely; and so he wrapped himself up in blankets, laid himself down in his car, *and fell asleep*—out of which he was awakened "at last," by his car striking the top of a tree. This was at half past 2 o'clock, A. M. when he descended, not knowing where he was.

He has published a long account of his voyage—the longest by far (as we believe), that any person ever performed before. He thinks that his altitude, a part of the time, was between 3 and 4 miles. He had refreshments with him—and partook of them plentifully.

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At the circuit court of the United States during its fall session, in Frankfort, Kentucky, judges McLean and Monroe differed in relation to the effect of an oath taken before *state officers* authorised to administer oaths, where the law prescribing it was of *federal origin*. Judge McLean was of opinion that a false oath, so administered, would not subject the false swearer to the penalties of perjury. The supreme court of the United States have supported the district judge, at the expense of judge McLean. The opinion of the court (judge McLean dissenting) was as follows:

"Upon the whole, we are of opinion that where the oath is taken before a state or national magistrate authorised to administer oaths, in pursuance of any regulations prescribed by the treasury department, or in conformity with the practice and usage of the treasury department, so that the affidavit would be admissible evidence at the department in support of any claim against the United States, and the party swears falsely, the case is within the purview of the act of 1823, ch. 165. It will be accordingly certified to the circuit court, that the said Josiah Reed, named in the certificate of division of the judges of the circuit court, being a justice of the peace of the commonwealth of Kentucky, authorised by the laws of that state to administer oaths, had authority and jurisdiction to administer the oath and take the affidavits in the said certificate of division mentioned, and that if the facts stated therein were falsely sworn to, the case is within the act of congress of the first day of March, 1823, referred to in the same certificate."

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Recently in the U. S. senate, Mr. King, of Georgia, in opposing the Alabama 2 per cent. bill, very pleasantly remarked that the western states were always begging for the proceeds of the public lands, either for the purpose of education, or some other object; but that if he could judge by the learning of the members of congress from those states, they needed no such assistance. Mr. Porter, of Louisiana, answered Mr. King: "Sir," said he, "I much admire the pleasantry, the fine run of humor with which the honorable senator from Georgia opposes this bill—permit me, sir, to meet him in his own way, and to answer him by saying that there are but three ways of acquiring public land, viz: to buy it, to steal it, or to beg it. We of the west need it, but are unable to buy it, so we beg it, because, having no *Cherokee lands* in the western states, we cannot steal it."

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The friends of governor *Wolf* have published a statement (in substance as follows), by way of an off set to the letter of Mr. Buehler, given in the *Register* of the 18th inst. It was brought to light at a late public meeting in Mifflin county, an extract from the proceedings of which is subjoined:

"While the committee were absent preparing the proceedings, Messrs. Potter and Parker addressed the meeting. Mr. Parker went into the history of the late convention, and the manner in which the spurious delegates were got up—the one from Juniata particularly. He said, two days before the convention met, a *creature*, for it would be a burlesque to call him a man, arrived at Mifflintown, bearing a letter from John C. Bucher to Amos Gustine, esq. wishing him to get up a meeting, no matter how, and send a delegate opposed to the nomination of governor Wolf. Amos Gustine told the *creature* he had missed his man, he could not engage to do his dirty work, "but there, (says he) is a man who will answer your purpose, (pointing to S. G. Nesbitt)—speak to him—I scorn such business." [*Lewistown Republican.*

This is very *beautiful*—amongst friends!

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The following letter written by Mr. *Van Buren* has just been published:

Washington, July 11, 1834.

Dear sir: I owe you an apology for not having sooner acknowledged the receipt of your obliging letter of 28th of May. My opinions on the subject of the power of congress over slave property in the southern states, are so well understood by my friends, that I am surprised that an attempt to impose upon the public respecting them should be hazarded.

The subject is, in my judgment, exclusively under the control of the state governments; and I am not apprised, nor do I believe, that a contrary opinion to an extent deserving consideration, is entertained in any part of the United States. The charge, therefore, to which you have had the goodness to call my attention, that I "am in favor of an interference by congress in manumitting your slave property," is destitute of foundation: so far from it, I do not see on what authority the general government could interfere, without a change of the constitution, even in the instance of either or of all the slave holding states.

With great respect and regard, I am, dear sir, very truly, yours, (Signed) M. VAN BUREN.

To ——— ———, *Clinton, Mississippi.*

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There is a great deal of humor in the following—and some truth. The "rewarding" of editors became too common; though we contend that they should have *their share*, equally with the *lawyers* and others.

John Holmes, formerly United States senator from Maine, tells a good story in one of his late speeches:

It is said that the day after gen. Jackson's inauguration, twenty four editors of newspapers marched in procession to the president's *to get their pay*. Poor old man, he was to be pitied. Among them was Noah, of the Advocate, and Hill, of the Patriot; Noah was a man of ease, and to appearance well fed; Hill was lean, lank and lanthorn jawed—a very Cassius. Noah, a shrewd, cunning fellow, stopped the procession and proposed a different order. "Here," said he, "Hill, you are the ugliest of the clan, of a hungry aspect enough. I am fat and plump: you shall lead us on, and as soon as the old president sees this picture of starvation, he will surrender at once." Well, it worked to a charm. They entered the palace in this order; the president was sent for and entered the room. He started back—"good God! gentlemen, take all you want." The old hero, though his nerve never forsook him in battle, could not stand this, but surrendered at once; and twenty three of the twenty-four obtained office, and the twenty-fourth, for being left out, let out the whole story!

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Mr. *Tristam Burges*, of Rhode Island, recently addressed a great public meeting of his fellow citizens, at Providence, with more than his wonted power of eloquence. The following extract from Mr. Burges' speech contains a glowing panegyric upon the talents and worth of the great statesman of the north—*Daniel Webster*. Mr. Burges said:

"If we triumph now, we cannot be defeated in August; and we shall then elect representatives, who may elect a president of the United States. Three candidates have already been nominated. White in the south; McLean in the west; Webster in the east. The friends of judge White say he is *in truth* what Jackson *promised* to be. It is enough for us, that the host of executive favorites are *against him, and he against them*. McLean is a man *good and true;* a whig, a patriot, a statesman. Webster is—but why should I speak of Webster? There is not a man in a city, or village, or on a farm or plantation, or in the wilderness, or in a cabin of any state or territory, but can talk, and does talk, and tell of Webster, the orator, the statesman, the great champion of the constitution. He is, in soul, as lofty as his own native mountains, and pure as their eternal snows. Rocks may be rent, or moved, but nothing in the tide of time, or the tempests of party, can shake or touch his integrity. Who that could be proud of his country would not be proud to have *such a man* for president of the United States?

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The St. Augustine Herald states that there is no foundation for reports which have been in circulation, of apprehended difficulties in the removal of the Seminole Indians from Florida to the west of the Mississippi. The Seminole of the present day is a different being from the warlike son of the forest when the tribe was numerous and powerful, and no trouble in the removal of the remnant of the tribe is anticipated.

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We learn that in consequence of certain statements in the newspapers, impugning his character as an officer, captain *Read*, of the navy, has arrived in Washington

and demanded a court martial, which he solicits may be convened for his trial as early as practicable. We also learn that in consequence of this circumstance, and, from motives of delicacy, desiring to decline any responsible trust until his character is freed from the imputation which now rests on it, he has requested of the department to be relieved from serving as president of the board of examination which is about to meet at Baltimore. [*Nat. Int.*

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One of the London papers, adverting to Russia, says—

"Are the remains of Turkey to be laid on the tomb of Poland? Is the mammoth of the Sarmatian plains to become the Leviathan of the Hesperian seas?"

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A communication in the Richmond Enquirer contains the following statement:

"A diamond weighing upwards of 5 dwts. [30 carats] was found on the plantation of Mr. Philip Brooks, in the county of Prince Edward, by one of his children, who, it is supposed, was attracted by the rays of light emitted from its surface. It has been examined by several scientific gentlemen, among whom was the professor of chemistry at Hampden Sidney college; all of whom pronounce it the pure carbon. The discovery of this great treasure appears to have been the work of Providence; for Mr. Brooks was a very poor man, and besides, is much involved. Since the discovery, however, he may occupy the station that he formerly did, as regards the riches of this world. Mr. Brooks is disposed to sell."

At the lowest computation, a brilliant of the first water, weighing five carats, would be worth $500, and if this diamond of five dwts. is of that character, it would bring $15,000. [*N. Y. Ev. Post.*

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The Bermuda papers treat very lightly the threats put forth in several of our U. S. journals, concerning the manumission, by the Bermudian authorities, of the slaves on board the American brig Enterprize, which touched at the islands, in distress. It is intimated that the details of the transaction have been laid before the British government, and that the decision of the Bermudian courts or magistrates will be sustained, leaving the owners of the slaves to their resort against the underwriters, if they have any, and to put up with the loss as they best may, if they have none.

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The *Barbadian*, of the 11th ult. published at Bridgetown, in speaking of the slave question says:

After all the gloomy anticipations and predictions of, we believe, a majority of slave proprietors, of ruin to West India property by the abolition of slavery, the prospect of future prosperity brightens every day. We may at any rate hazard this opinion as to the value of property in our own island. There may be here and there some trifling exceptions from the general rule; but we think we can safely pronounce that the apprenticeship system is working as well as any reasonable man could expect. We are not aware of any serious interruption to the old routine of labor on the plantations, except those which are rendered imperative on both master and servant by the new law. No information has reached us of any material resistance to the laws on the part of the laborers. The crop of sugar is advancing as fast as ever it did. The season for manufacturing sugar is always, though the most laborious, yet the most cheerful and animating period of the negro's life. The crop having been commenced unusually early, there have already been shipped upwards of five thousand hogsheads, about three hundred tierces, and about four hundred barrels of sugar, besides a considerable quantity of molasses. There must be great confidence felt in the safety and stability of West India property, since we hear that several estates have been lately sold in this island at a considerably higher price than the proprietors would have taken for them, while the measures of government were uncertain, and threatening in their character. We trust that the prospect is also brightening throughout the other colonies; our only fear is, for the colony of British Guiana. There, we confess, matters wear a gloomy aspect.

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ITEMS.

A fellow, at Albany, stole a *cow*, (of the most approved breed, and worth *sixty* dollars), drove her into the woods and killed her—for the sake of her hide, worth *five* dollars! He well deserves to be taught "the art and mystery of hammering stone," at the state prison, for a "considerable" time.

The ship Orozimbo, at Baltimore, from Liverpool, brought an importation of fourteen heifers and two bulls, of the full blooded *short horn* breed. They are said to be as fine a parcel of cattle as has ever been imported into this country, and are intended to be placed on the farms of R. D. Shepherd, esq. at Shepherdstown, Va.

We are informed (says the Portland Courier), that large quantities of counterfeit half dollars and ten cent pieces are in circulation in this city and vicinity. They are imitations of American coins, and very difficult to detect. It is said they are a compound of tin, glass and lead, and are equal in sound and weight with the genuine. Our informant says they are supposed to be Canadian manufacture, and well got up to deceive the best judges.

The "Pennsylvanian" of Saturday, says—

"We have ascertained that the rumor is correct, that *Felix Murray*, lately sentenced to death for the murder of Joseph Sutcliff, has been pardoned by governor Wolf, and that he sailed for England, on board the Pocahontas, on Monday last."

On which it is said—"It is one of the curses entailed upon us by the political managers of the present day, that not only the public interests, but the sacred demands of justice, are sacrificed to the advancement of aspiring and unprincipled demagogues."

[We know not *who* this Murray was—nor any particulars of the case of the murder committed by him.]

It appears by the report of the committee appointed at a public meeting of the friends of education in 1828, that, out of a population of about 300,000, in *New Jersey*, there are 15,000 adults who are unable to read, and 12,000 children who are entirely destitute of the means of education.

We have received a copy of a report addressed to the legislature of *Indiana* by the trustees of a state seminary, incorporated for the express purpose of qualifying teachers for common schools. From this report it appears there is a deplorable deficiency of teachers in the state. "The investigations," says the report, "of the association formed for the promotion of common education in the state, have thrown additional light on this subject: From their inquiries it appears that only about one-quarter of the children of suitable age, attended school in 1833–4. Only one in six can read; one in nine write; and one in a hundred study geography, and one in a hundred and forty-five grammar." The universal complaint was, "we can't get suitable teachers—some are intemperate; some profane; some notoriously debauched." And yet the trustees say, "we dare not dismiss them, for there are no others to be had."

There was a great storm at New York in Monday night and Tuesday morning—by which many vessels were seriously injured, and several, breaking their fasts, were drifted on shore. Some also sunk at the wharves.

The damages sustained were very large—and a loss of lives is apprehended on the coast, where several vessels are known to have been wrecked. The steamboat, "Chief Justice Marshall," on her voyage to New London, parted her cables, and went on a rocky shore, near New Haven. The pilot was drowned—passengers and crew all saved. The vessel is stated to be a total loss. The steamboat Champlain, which started at the usual hour on Tuesday morning, for Albany, was obliged to put back, less by the violence—great as that was—of the tempest, than by the quantity of drift logs, encountered in the river—the wreck, probably, of some rafts.

Lake Champlain opened for steamboats about the 20th April. There are three boats on the lake.

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AMERICAN STONE—*a newly discovered cement.* Longinus never made a truer remark than when he said a "democracy was the cradle of science." The unfettered mind, expanding to its utmost power of extension, under free laws and institutions, develops powers that lie dormant and repressed beneath the chains of a monarchy and despotism. Discoveries and inventions are created in the combinations of thought, which seem almost magical and supernatural compared with the results of intellectual operations in governments of force. Our own country has demonstrated the truth of these remarks in her Franklin, her Fulton, her Whitney, and many others, and in the astonishing rapidity with which she has applied and improved upon almost every useful art.

We come now to record another remarkable invention, which has before been slightly alluded to, but of which

we can now, from our own personal observation of the specimens, and from further information obtained from the inventor, speak in more positive terms. Mr. Obadiah Parker, a native of New Hampshire, and for many years past a respectable resident of Onondaga county, in our state, and now in this city, has, after numerous experiments, discovered a composition stucco or cement—which, from a state of liquid mortar, hardens in a few days—say eight or ten—into a solid substance or stone, as impenetrable almost as granite, and susceptible of a beautiful polish. It is, apparently, chiefly of a calcareous nature, or like the hardest kind of marble. Any color may be given to it: and it not only defies, but actually acquires greater density and solidity, and less brittleness, under the changes of the atmosphere. He has obtained a series of patents—and at Catskill, recently built, as a specimen, the wall of a small edifice eight feet high, which in eight days—recalling to mind the fable of Medusa, was perfectly *petrified* with its door, windows, &c. all of which is testified to by the owner to us personally, and by the certificate of the judges of the county and the principal citizens of the place. It is impossible to foresee the consequences of such a discovery. It surpasses, without doubt, all other cements; and the material is so cheap, that entire houses, of any shape or dimensions, fortifications, canals, aqueducts, &c. may be thus built up in a few days, which could utterly supersede brick and stone, and effect a complete revolution in architecture. What will not art yet imitate and accomplish?

[The preceding is copied from a *New York* paper—but which of them we do not recollect.]

On Monday, the 16th March, there was a beautiful display of that meteor scarce on this coast, (though well known in the high latitudes), the Corbizant, on board the Royal William steamer, of Leith. It made its appearance at midnight, in the shape of seven brilliant stars, one at each mast and one at each cross tree, and taken collectively, looked exactly like the great bear in miniature. One of the seamen that went up to the mast head said it had a hissing noise, like that produced by a bar of hot iron plunged in water. It continued blazing beautifully for one hour, during which time the gale raged with fury from the north east, with showers of rain and sleet; in fact, the oldest sailor on board did not remember to have experienced such a severe storm. Notwithstanding, the Royal William arrived at Leith only a few hours behind her usual time.

[*Scotch paper.*

A French paper contains the following account of the establishments which belong to religious orders in Spain:

The order of St. Benoit possesses 85 convents of monks and nuns; St. Bernard 130 convents; the Carthusians 16; St. Jerome 48 monasteries and 19 convents; St. Basil 17 monasteries; St. Domingo 351 convents; St. Francis 850; St. Francis called *Tercaros reglares* 22; the order for the reformed bare-footed monks 171 convents. Total 1,715.

Only the first four are wealthy, and their wealth was considerably diminished by the sales effected in 1821, by order of the cortes, and afterwards annulled by Ferdinand.

MEXICO AND SOUTH AMERICA.

New revolution in Mexico. The packet ship Congress, capt. Kimball, arrived at N. York, sailed from Vera Cruz on the 8th April, and brings intelligence that a new revolution had broken out in the south of Mexico, which threatened serious consequences to the present government. So far as we can learn, it appears that the first movement was made by gen. *Alvarez*, the governor of the state of Zacatecas, who came out with a proclamation declaring that *St. Anna* was incapable of acting as president until he is fairly tried by a competent court, and establishes the justice of his conduct in disobeying the old congress. The proclamation also declares the existing congress illegitimate, calls for the restoration of the old one, and the return of the vice president, Gomez Farlo, to the executive authority. At the latest accounts, three other important states, viz: St. Louis Potosi, Morella and Durango, had united with Zacatecas in this declaration.

St. Anna had proceeded with 5,000 regular troops to Zacatecas, to put down the revolt, and a serious conflict was expected.

Private advices from Vera Cruz of the 8th inst. announce that a great excitement prevailed there among the adherents of Santa Anna, and that serious apprehensions were entertained that another revolutionary movement in favor of a central government, would be made by the garrison of that city, 2,000 strong.

Senor Alaman, appointed minister to the court of Paris, who was on the point of embarking on board the Congress, was detained in consequence of an unexpected order from government. It is said that he is implicated in the death of gen. Guerrero, and that the sentence of the court martial which condemned the latter, will be revised.

Gen. Alvarez has proposed a plan for settling the dispute—two articles of which are as follows:

"There shall be an absolute oblivion of all that is past, and no persons shall bring accusations for crimes committed in consequence of the political dissentions which have agitated the republic, from the acknowledgement of its independence to the present day.

"This amnesty will not include gen. Antonio Lopez de Santa Anna, who must be tried for having interrupted the general congress in the exercise of their functions—nor his ministers, who will be answerable for the official communications authorised by them against the constitution and laws."

The legislature of Queretaro have petitioned congress for the total extinction of the civic militia of the republic, which they say have served only to sustain factious subversive of social order. "We said before, and we repeat," they remark, "that there has not been a single revolution in which the local militia have not been inclined to the worst side."

Mexico, March 14. The following proposition was read a first time in the chamber of deputies at its sitting to days—"Foreigners may acquire real estate, *provided they are of the Roman Catholic* religion, and are naturalized (avecindados)—subjecting themselves to the same taxes and burdens as Mexican citizens." It was denied a second reading.

[The *generals* will probably plunge *Mexico* again in blood. There will be no end to such things—until *they* are reduced into subjection to the *civil* law.]

There has recently been a great insurrection of the slaves [Africans] at Bahia, in Brazil, in which many lost their lives. About 200 were left dead in the street—many of them rushing on the bayonets of the soldiers, rather than remain slaves. A few of the soldiers were killed.

The brig Baltimore, at Salem, in 28 days from Para, brings the following intelligence: On the 19th and 21st February, another revolution took place, in which Melcher, the president, and 80 others were killed. Vinagre, Melcher's accomplice in the revolution of the 7th January, is now at the head of affairs, but not likely to remain. A report says 500 men are now preparing, in the country, for an attack on the town in a day or two. Letters from Maranham, of the 20th March, state that a frigate and three small vessels, with several hundred men, were going to Para to restore tranquillity. This has given umbrage to the president, and, at an assemblage of citizens, they determined on giving fight to the Maranham expedition. H. B. M. ship Despatch has been ordered up from Barbadoes to protect English residents. Anarchy reigned at Para.

THE GREAT FOOT RACE.

From the New York Commercial and Courier of Saturday.

The great foot race. The great trial of human capabilities, in going ten miles within the hour for $1,000, to which $300 were added, took place yesterday on the Union course, Long Island; and we are pleased to state that the feat was accomplished 12 seconds within the time, by a native born and bred American farmer, Henry Stannard, of Killingworth, Connecticut. Nine candidates appeared on the ground, and a tenth was anxious to do so, but not having entered his name in time, was excluded. For the sake of brevity we give the names, ages, &c. of the men in a tabular form.

Names.	*Place of birth.*	*Age.*	*Height.*	*Weight.*
Henry Stannard,	Connecticut,	24	6f. 1 in.	165 lbs.
Charles R. Wall,	Brooklyn,	18	5 10½	149
Henry Sutton,	New Jersey,	23	5 7	133
G. W. Glauer,	Prussia,	27	5 6½	145
Isaac S. Downes,	New York,	27	5 5½	150
John Mallard,	New York,	23	5 7½	130
Wm. Vermilye,	New York,	22	5 10½	150
Patrick Malloney,	Ireland,	33	5 6	130
John McCargy,	New York,	26	5 10	160

The tenth candidate was a colored man from Virginia.

Stannard was the winner, accomplishing the distance 12 seconds within the time. But three of the nine, namely Stannard, Glauer the Prussian and Malloney the Irishman, completed the task, Downes giving in after the 8th mile, McCargy after the 5th, Wall, Sutton and Mallard after the 4th, and Vermilye after the second.

The following is the time in which Stannard performed each mile:

	Min.	*Sec.*
1st mile	5	36
2d do	5	45
3d do	5	58
4th do	6	29
5th do	6	9
6th do	6	3
7th do	6	1
8th do	6	3
9th do	5	57
10th do	5	54
	59	48

Mallard was known to be an excellent runner; he had performed 16 miles in 1 hour and 49 minutes, stopping during the time to change his shoes. He was not sober when he started, and he fell in the fifth mile.

The German had performed the distance between New York and Harlæm, and returned thence (12 miles) in 70 minutes;—

his friends were very sanguine of his success. He betted nearly $300 that he would win the prize. He was within the time until the 6th mile, and he performed the 10 miles in 1 hour and 27 seconds. He was 4 seconds behind time in the 8th mile. Part of the distance he carried a pocket handkerchief in his mouth.

Mallony, the Irishman, had undergone no training whatever; he left his porter's cart in Water street, went over to the course, ran the first mile in less than 5½ minutes; at the end of the 6th mile he was 1½ behind; at the end of the 8th mile 2 minutes behind; at the 9th mile he was 3 minutes behind, and he performed the ten miles in 61½ minutes. On the 25th of last month this man ran 8 miles in 41 minutes 56 seconds. McGargy was out of condition; but he did the five miles in 32½ minutes.

Vermilye was very thin and in a wretched state of health; he travelled 38 miles on foot on Tuesday last to be here in time to enter, and the next day performed 8 miles in 46 minutes; he is an excellent runner, but gave in at the end of the second mile from a pain in the side; he was also thrown by a man crossing the course in the first mile. Wall and Sutton ran remarkably well, but gave in at the end of the 4th mile for want of training.

Stannard, the winner, we understand has been in good training for a month. He is a powerful stalwart young man, and did not seem at all fatigued at the termination of the race. He was greatly indebted to Mr. Stevens, for his success; Mr. S. rode round the course with him the whole distance, and kept cheering him on, and cautioning him against over-exertion in the early part of the race; at the end of the sixth mile, he made him stop and take a drink of brandy and water, after which his foot was on the mile mark just as the 36 minutes were expired; and as the trumpet sounded he jumped forward gracefully, and cheerfully exclaimed, "here am I to time;" and he was within the time every mile. After the race was over he mounted a horse and rode round the course in search of Mr Richard Jackson, who held his over coat. He was called up to the stand, and his success (and the reward of $1,300) was announced to him, and he was invited to dine with the club; to which he replied in a short speech thanking Mr. Stevens, and the gentlemen of the club for the attention shown to the runners generally throughout the task. After this it was announced by Mr. King, the president of the jockey club, that the German and the Irishman who had both performed the 10 miles, though not within the time, would receive $200 each.

During the running of a match, a written paper was handed to Mr. King, stating that two native Americans were willing to attempt to walk 500 miles without eating or drinking, as soon as a purse of $500 should be made up.

The day was remarkably fine, but the wind blew very strongly on the course, and considering the vast amount of money (in bets, &c.) at stake, Mr. Stevens felt uncertain at first how to act, and decided to postpone the race; but the general opinion and desire seemed to be against any postponement, and he yielded to this. The result on this account was most fortunate. The race was won handsomely; although when it wanted but 27 seconds to the hour, bets at 5 to 3 were offered, and taken, that the task would not be accomplished. It is certain, that if the wind had not been so high, Stannard would have performed the 10 miles in 57 minutes.

The speed of the runners will be best estimated perhaps by stating that Stannard was accompanied the whole distance by Mr. Stevens on horseback, and that the horse was all the time in a fast canter.

DEATH OF SAMUEL SLATER.

The Rhode Island papers announce the death, on Monday last, of *Samuel Slater*, esq.—long known as one of the most enterprising and respected citizens of that state, *and as the father of the cotton manufacturing business in this country*. The first cotton mill built in the United States was erected by him, in Pawtucket, and was yet in operation at the time of our last visit. There is a curious anecdote connected with the original machinery of this factory, which, as it is strictly true, we will relate for the edification of doctors Abercrombie and Macnish, and other inquirers into the philosophy of dreams. Mr. Slater was an ingenious mechanist, and all the machinery was constructed under his immediate direction. Of course, in the earliest infancy of the business, and before the machinery to be constructed was itself thoroughly understood, or the means for making it as ample as could have been desired, imperfections to a greater or less extent were to be anticipated. At length, however, the work was complete, and high were the hopes of the artist and his employers. All was ready, but the machinery would not move—or at least it would not move as intended, or to any purpose. The disappointment was great, and the now deceased mechanist was in great perplexity. Day after day, did he labor to discover, that he might remedy the defect—but in vain. But what he could not discover waking, was revealed to him in his sleep.

It was perfectly natural, that the subject which engrossed all his thoughts by day, should be dancing through his uncurbed imagination by night, and it so happened that, on one occasion, having fallen into slumber with all the shafts and wheels of his mill whirling in his mind with the complexity of Ezekiel's vision, he dreamed of the absence of an essential band upon one of the wheels. The dream was fresh in his mind on the following morning, and repairing bright and early to his works, he in an instant detected the deficiency! The revelation was true, and in a few hours afterwards the machinery was in full and successful operation. Such is one feature in the history of American manufactures. The machanist has since led an active and useful life—sustaining in all the relations of society an unblemished reputation. [*Com. Adv.*

The first cotton mill, (and the *first* mill built in the U. States), built by Mr. Slater, yet stands at Pawtucket, and is in operation. When we visited it, four or five years ago, the *old* machinery was still at work!

Mr. S. acquired an immense property—and maintained the character of an honest man, one of unspotted fame, throughout a long life; both which descends to his children.

Mr. *Slater's* estate is estimated at *two millions of dollars*—the result of various accumulations of values, especially in lands: and yet, during the wreck that was made among the cotton manufacturers in 1824, *he was about to make an assignment, and actually sold his old mill at Pawtucket*. Confidence seemed lost in every man who had been engaged in spinning cotton; and, although Mr. S's responsibilities were very small, indeed, compared with his means, such was the effect of the panic. This was the very crisis of the *cotton manufacture in the United States*—the result of *foreign* management, in the excess of their goods thrown into market: but, though much property changed hands—the industry and enterprize of the people remained steady; the storm was weathered—the *last* struggle was over; and now this manufacture is established on a foundation that cannot be destroyed, and to be affected only by the *domestic competition*. *Editor Register.*

OHIO AND MICHIGAN.

The steamboat Detroit arrived from Detroit this morning. We have endeavored, by inquiry, to ascertain something relative to the aspect of affairs from "the seat of war;" but are unable to get any thing definite or satisfactory. It is said that the people of Michigan, or at least the inhabitants of the eastern part of the territory, are *greatly excited* on the subject; and that governor Mason expresses a belief that the matter will not be easily adjusted. The probability is, however, that Mr. Rush has been appointed governor of the territory, and will immediately assume the duties of the station. If so, we indulge the hope, that some judicious arrangement will for the present give a truce to the threatened hostilities. On the side of Ohio, we are informed that governor Lucas has expressed a determination to effect a survey, *at all hazards*. We still incline to the belief that the *survey will be made*, and that the matter of jurisdiction will remain in *statu quo*, until the next meeting of congress. [*Cleveland Whig, April 8.*

The Toledo (Ohio) Gazette is filled with accounts of violence committed by the "Michigan kidnappers," as they are called, upon the citizens of the disputed territory. We subjoin one statement:

"On Wednesday night of last week, the feelings above alluded to, gave rise to the perpetration of one of the most cowardly and inhuman acts ever witnessed in the western country. In the dead of night, while the whole town was wrapped in slumber, a band of lawless villians and desperadoes, consisting of some 35 or 40 persons, and headed by the sheriff of Monroe county, suddenly emerged from the woods, (where, like cowardly assassins, they had been waiting in order to pounce upon their prey when least prepared to offer resistance), and proceeded silently and cautiously to the lodgings of two of the most worthy and respected citizens, N. Goodsell and George McKay, esquires, violently seized them in their beds, bound them, and lashed them to horses, which they brought for that purpose, and, before the citizens could be alarmed, again rushed into the woods with their captives. Every effort was made by these gentlemen to give the alarm to our citizens! but the pains taken to prevent any noise being made, enabled them to get nearly a mile start before the town could be raised for their rescue.

The alarm was given by the *ladies* of the house from which Mr. Goodsell was kidnapped, and who were forcibly retained by those blackguards until the posse who guarded that gentleman made good their retreat to the woods, and, in a short time, upwards of fifty of our citizens had sprung from their beds and were in pursuit, determined to rescue their neighbors, or die in the attempt. But the villains had got so far the start of them, and rode with such speed, that it was impossible for our citizens, who were on foot, to overtake them.

It is alleged that the cause of these proceedings, on the part of our northern neighbors, is an order from the court of Monroe county, in Michigan territory, under the pretence of an alleged interference on the part of the above named gentlemen, with a Michigan officer, in an attempt to carry off some citizens of this place on a previous occasion. On this point, it is only necessary to say, that the offence with which they were charged, had it been one rendering them amenable to the laws of Michigan, was a mere imaginary one, and could in no manner, and under no pretext or coloring, have merited for them the treatment they received—treatment at which every feeling of humanity, and every citizen of a *free* government must revolt.

The ruffians had well laid their plans, and maturely considered the nature and extent of the outrage, and the reception they would meet with by our citizens, as is evident from every thing connected with the proceedings. They first proceeded to

the mansion of major Stickney, nearly half a mile below the town, at which place Mr. Goodsell resided, and on demanding admission were promptly denied. They immediately commenced breaking down the door which they accomplished in a few minutes, by the aid of bars and fence posts, which they found in the vicinity. Mr. Goodsell had in the mean time, procured his gun, and proceeded to an upper room, with the intention of firing out of the window upon the villains, but was prevented from doing so by the family. As soon as the door was demolished the gang rushed in and seized Mr. G. while some of them laid hold of and held Mrs. G. and Miss Stickney, to prevent their escaping to alarm the neighbors. They then hurried the prisoner to the woods, while a part of the gang was left, to proceed to the office of Mr. McKay, in which he slept, and succeeded (with the assistance of some traitorous citizen of thi town, who was well acquainted with the building and room in which Mr. McKay slept), in securing him before he awoke from his sleep—not, however, until he had left "his mark" upon the carcass of more than one of the *beasts* who assailed him—and was hurried off to the woods as before described.

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The following is an extract of a letter from *Sebried Dodge*, esq. principal engineer upon the line of the Wabash and Erie canal. It gives the most authentic and direct information of the situation of affairs between Ohio and Michigan, that we have yet seen. The gentleman to whom the letter is addressed kindly furnished it for publication.

Maumee, April 10, 1835.

SAMUEL FORRER, ESQ.—DEAR SIR: We were assured a short time since, by Messrs. Rush and Howard, that no resistance would be made by Michigan. It is now evident that there will be trouble, and the governor of Ohio will not be able to accomplish the running of the line without calling out a strong military force. This cannot be done without first convening the general assembly, in order to make the necessary appropriations.

We shall start to-morrow for the north western corner of the state; and the next time you hear from me I shall probably inform you that I am at Monroe, the head quarters of gen. Brown. General Brown was yesterday at Toledo, at the head of the sheriff's posse of 100 armed men. They came for the purpose of arresting those who have accepted office under the state of Ohio.

He informed me that any attempt to run the line would be resisted by the whole force of the territory. That they had 300 men under arms at Monroe, and six hundred more would soon be there; that they have 1,500 stands of arms taken from the United States arsenal at White Pigeon Prairie; that they did not mean to be rode over *rough shod* by Ohio. It was replied that Ohio had not as yet put on her *rough shoes;* and would not, unless they made it necessary; and that the line would certainly be run. The governor of Ohio started on the 8th inst. for Defiance, and is entirely unprepared to meet the forces of Michigan. What course he will pursue, I do not know. Our party consists of fifteen or twenty unarmed men; and if we proceed we shall certainly be made prisoners—there not being a sufficient number to prevent surprise; I think the expedition will be delayed. The state of Ohio is affording no protection to the people on the disputed territory, further than through the civil authority. And those who have accepted office have been obliged to retreat. The governor has power to call out the militia but has no funds to sustain them.

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Another letter dated Maumee, April 11, says—

"At this time there is an armed force from the territory in Toledo, prowling about the streets, and taking some of the citizens, and threatening others. A number of Toledians have been indicted for accepting office under Ohio—who have withdrawn themselves to this place for safety. * *

* * * * Excitement is high indeed."

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The following is copied from a Michigan paper published near the "seat of war:"

"We are sorry to be compelled to state that some individuals on the disputed ground have been base enough to erect, in the village of Toledo, a flag, on which was ostentatiously displayed the name of OHIO. Some patriotic citizens of Michigan, indignant at the disgusting exhibition, tore the disgraceful badge of treason from its perch, dragged it through the streets over which it had waved; and, after arriving with it at Monroe, finally burnt it, with suitable demonstrations of contempt."

The mud-tramp'led banner, O long may it float,
From the top of a pole, or the head of a boat.

THE CANAL TO TIDE.

From the Harrisburgh Intelligencer

A company to continue the Pennsylvania canal, by a canal twenty-six miles long from Columbia to the Maryland line, and connect it with the Maryland canal, ten miles in length, was incorporated at the late session of our legislature. The company is not restricted as it relates to the size of this important improvement. It is believed by some, that the immense tonnage which will pass this canal, of [illegible] and [illegible] coal, lumber, flour, iron and other agricultural products, will require it to be made a ship canal, and we understand that a company of respectable men, some of whom were [illegible] in the Jersey sloop canal, are ready to make it a [illegible] canal, for less than $1,500,000. But suppose it to cost $2,000,000, the interest at five per cent. would be only $100,000; and it is believed that on the article of coal alone the tolls would amount to more than $400,000, yielding an interest of twenty per cent. This can be seen, by looking at the tolls derived from coal alone on the Schuylkill navigation which has already reached $300,000, and the stock is more than 200 per cent. above par.

But what is the Schuylkill coal region, in comparison with the Susquehannah and Juniata? The anthracite coal region, commencing a few miles above Harrisburgh, in Lyken's valley and extending one hundred miles up the Susquehannah, can supply the world with anthracite. This coal can be delivered at tide, for $4 per ton; one dollar cheaper than it can be delivered at Philadelphia from the mines of the Schuylkill and Lehigh. If a ship canal is made from Columbia, anthracite coal from Lyken's valley can be delivered upon the Delaware side of Philadelphia, cheaper than from any other mines. But the bituminous coal of the west branch of the Juniata, will have no serious competition. New York, Philadelphia, Boston, Providence, and even the cities of the Chesapeake, can be supplied cheaper than from Richmond or the mines of Cumberland. The Pennsylvania canal upon the Susquehannah will require to be widened and deepened, or have double locks, within five years after this important outlet is made to tide.

Since the above was in type, we have seen the Commercial Herald, in which is a communication, probably written by some one interested to prevent the work being constructed, in which the practicability is questioned. To silence such men, we refer them to the report of a distinguished engineer, *James Geddes*, esq. published in the year 1823, in which a canal on the banks of the Susquehannah, from Columbia to the Maryland line, is pronounced practicable for less than $970,000. Mr. Geddes was one of the most distinguished engineers on the the Erie canal, and his estimates have always nearly corresponded with the cost of the work. But supposing that the work to cost more than twice the estimate, still no stock will be more profitable. Only one fact need be mentioned to show this; and it is this, anthracite coal can be delivered at tide for more than a dollar a ton cheaper than it can be in Philadelphia and New York, from the Schuylkill and Lehigh mines. This alone will make the stock what the Schuylkill navigation stock is, the most profitable in the union.

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Coal trade of Pennsylvania. The vast increase of this trade, within a few years, renders all authentic details relating to it a subject of general interest; and in proof of this increase, it is only necessary to state, that in the year 1820, no more than 365 tons of anthracite coal found their way to market from the Lehigh mines, while in 1834 the quantity sold amounted to 374,222 tons, of which 106,500 were from the Lehigh, 224,242 from the Schuylkill, and 43,700 from the Lackawanna mines; the Schuylkill mines having been opened for the market for the first time in 1825, and the Lackawanna in 1829.

The Lehigh company, on the Lehigh canal and the Delaware, have 275 boats, and others are employed by individuals. On the Morris canal, there are 250 boats employed in this trade. The number of vessels laden with coal at Philadelphia and Bristol in 1834, was 469. The amount of Lehigh coal shipped coastwise during the same year was 32,154 tons, of which 14,006 tons were shipped from Newark.

The number and description of vessels cleared from the river Schuylkill, laden with coal, during the year 1834, were as follows: 72 brigs, 1,122 schooners, and 420 sloops. The amount of the tonnage of boats employed in the transportation of coal from the Lehigh mines, 22,150 tons; on the Schuylkill, 21,733.

The value of improvements and property connected with and arising from the anthracite coal trade of Pennsylvania in the three great coal fields, is estimated by a committee of the legislature of the state as follows, viz: rail roads and canals made by companies and individuals, including part of the state canals, 450 miles, $9,750,937 42: collieries, boats, cars, &c. $1,270 280; capital invested in coal lands, $4,200,000; mining capital, $150,000; value of towns in the coal fields, $3,375,000; making an aggregate of $19,176,217 42; to which may be added the value of store houses, wharves, landings, &c. in Philadelphia, New York, and other places, together with the value of vessels and capital employed in shipping coal.

The bituminous coal lands in Pennsylvania are supposed by the same committee to comprehend an extent of 21,000 square miles, and the anthracite of 975 square miles. Since the opening of the anthracite coal trade in 1820, its average annual increase has been 33 per cent. The committee believe that it will continue during the next ten years to increase in the same ratio; in which case, the consumption in 1845 will be 10,[illegible] tons, the value of which, at $5 per ton, will be [illegible]. Supposing the increase not to exceed one half of the above estimate, the trade of that year, in the article of coal alone, will amount in value to twenty six millions dollars.

[Daily Advertiser.]

"The idea that the coal brought to market will, in 1845, be 10,[illegible] tons and its value [illegible] dollars, seems to us very extravagant."

THE LEXINGTON CELEBRATION.

April 19.

Boston, April 21. It is now sixty years since the first blood of the revolution was shed at Lexington, and when

in the lapse of ages have more wonderful events been crowded into less than the half of a century? Those events may be traced, and not with any undue refinement, to the first struggle in a little village of New England; the resistance of a handful of stubborn husbandmen to the disciplined forces of royal authority. Well may such a struggle be commemorated! Well is it that the children should have gathered, when the issues of that event have been partly revealed to them, to pay due honors to the mouldering remains of the first martyrs in the great cause of liberty.

The ceremonies at Lexington yesterday were of the most simple and affecting character. At about half past eleven, a procession of citizens, and of the civil and military officers of the state in the customary order of precedence, was formed under a military escort and proceeded to the village burial ground. Here had been interred the remains of those who had fallen on the memorable day, whose anniversary was now celebrated. These relics had been deposited in a single coffin, about which were placed urns bearing the names of the first victims. On leaving the burial ground, the companies marched with reversed arms in advance of the hearse, which bore the hallowed ashes of the immortal sacrifice. Behind it, with tottering steps, followed the surviving soldiers of the battle—ten old men, who had fought in "capt. Parker's company"—and who had been spared to see their country pass through the gloom of war and emerge into prosperity, peace and honor.

On reaching the meeting house, erected on the battle-field, the coffin was placed in the middle aisle, in front of the pulpit.

The address of *Edward Everett* was a worthy commemoration of the day, and the scene it was intended to celebrate. It was full of affecting incidents that thrilled to the hearts of the audience; and of patriotic appeals that animated and electrified them. Composed in the style of classic elegance that marks every thing he touches, it was still peculiarly familiar, and free from every thing that could be mistaken for display. It was heart speaking to heart. We were carried back to the dawn of the revolution: to the preparatory scenes of colonial warfare and Indian massacre. Here was the school of the first soldiers of liberty. Here they had been inured to peril, and accustomed to scenes of carnage. On the Canadian frontiers—in the severities of the forest winters of the north—on the shores of Lake Champlain—under the walls of Quebec—they had been taught under no gentle masters the hardships of war, and the rigid discipline of the camp. And when the day came, that called upon them to take arms in defence of their own rights—was it strange that it found those ready—who had shed their blood for their sovereign on the plains of Abraham—to pour it out like water for their firesides and families on the green of Lexington?

We would not be so unjust to the orator, as to attempt a recapitulation of the topics of his discourse. Two or three incidents he mentioned were of so touching a character as to draw tears that indeed seemed "from eyes unused to weep." Of the men shot by the second discharge of the British musquetry, one lived in a house fronting on the scene of battle. When the rout took place, he turned to his home, and advanced towards it with tottering steps. His wife stood in breathless anxiety at the window. Stretching his arms towards her for aid in his dying moments, he fell at his length in the dust. Unable again to rise, he crawled on his hands and feet to the door step of the house, and was reached by his wife in time to pour out his last breath in her arms.

Another story of indomitable valor, worthy of an immortal renown, and unsurpassed by any incident in history, is that of the brave Parker, who had sworn that come what come might, he would never turn his back on the British. His spirit had been roused by long meditation on the wrongs of his countrymen, and nerved to a degree of resolute daring, that made him a willing—aye, an eager sacrifice to the great cause that he knew to be impending. He had made a noble vow, and it was nobly redeemed. When it appeared certain that a struggle would occur, he placed his hat containing his ammunition at his feet, and resolved to await the issue on the spot. On receiving a severe wound, he fell upon his knee, and having discharged his piece, was preparing to reload, when he was transfixed by the bayonet of a soldier, who rushed upon him and despatched him at a blow.

In the course of the address, Mr. Everett gave beautiful sketches of Hancock and Adams. The grandfather of Hancock was for many years the pastor of the congregation in Lexington, that worshipped on the spot where the meeting house in which the orator was speaking now stands. His father was a native of Lexington, and Hancock himself had passed many years of his youth and childhood in that village. Adams and Hancock resembled each other only in their patriotism. The one might have been only the spoiled child of fortune, if Providence had not destined him for the accomplishment of a mighty purpose. As he was useful in his generous affluence, so the other was useful from his incorruptible poverty. The character which was drawn of these distinguished men—often as their characters have been drawn both in parallel and contrast—was full of vigor, beauty and eloquence.

To the other topics of the oration we have no time to allude: but they were selected and managed with great skill and felicity. The children of the first actors in a mighty revolution had assembled, after the lapse of more than half a century, to do honor to the memory of their fathers. Before them reposed the ashes of the first martyrs of a glorious cause; ashes—from whose embers had been kindled the flame, that blazed through our continent, and has burned a perpetual beacon to all the nations. Surrounding the coffin that contained the dust of their companions in arms—sat the surviving soldiers of that memorable day: bent with years, gray haired and decrepid, but sustained by the impressive contrast of their present condition, and that of their beloved country—with their vivid memory of their darkness and peril that brooded over them on the eve of battle.

On the conclusion of the church services, the procession again moved, and accompanied the remains to the monument that stands on the spot where the victims fell. They were deposited in their permanent place of sepulture, and a volley of musquetry was discharged over them. Here let them sleep in glory!

At the dinner which followed the ceremonies, many distinguished guests were present, and many sentiments and speeches were thrown out with great effect. Judge Story, governor Armstrong, Daniel Webster, the attorney general, president Quincy and Mr. Everett, all addressed the assembly with brevity and point. We cannot better conclude this hasty sketch than by the following sentiment, offered by DANIEL WEBSTER: "*Lexington common*—In '75 a field of blood—in all coming time a field of glory."* [*Atlas.*

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The following is the ode sung on the occasion of this celebration:—

LIBERTY.

[*An ode written by Miss H. F. Gould.*]

Dear is our liberty,
For great the price that bought her!
And dear the memory
Of those who nobly sought her!

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*The following beautiful extract from Mr. *Webster's* speech on *Foot's* resolution (January 1830), naturally occurs to us. We have read it, and referred to it many times—always discovering something new to admire and wonder at. *Ed. Reg.*

"Mr. President, I shall enter on no encomium upon Massachusetts—she needs none. There she is—behold her, and judge for yourselves. There is her history—the world knows it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill—and there they will remain forever. The bones of her sons, falling in the great struggle for independence, now lie mingled with the soil of every state from New England to Georgia; and there they will lie forever. And, sir, where American liberty raised its first voice, and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood, and full of its original spirit. If discord and disunion shall wound it—if party strife and blind ambition shall hawk at and tear it—if folly and madness—if uneasiness, under salutary and necessary restraint, shall succeed to separate it from that union by which alone its existence is made sure, it will stand, in the end, by the side of that cradle in which its infancy was rocked; it will stretch forth its arm with whatever of vigor it may still retain, over the friends who gather round it; and it will fall at last, if fall it must, amidst the proudest monuments of its own glory, and on the very spot of its origin."

When war awoke with din and smoke,
By numerous foes surrounded,
With battered life, they braved the strife,
In death their arms were grounded!
How blessed the memory
Of those who stood defying
The foes of liberty,
And breathed her name in dying!

Take, holy liberty,
Thy story on thy pinion,
And wing it high and free,
Throughout their proud dominion!
Their blood was free and warm, for thee,
From fearless bosoms streaming,
Like stars, on Fame, their deeds must shine,
To all the nations beaming,
Then, keep thy balmy wing
Still spreading broad and broader,
And let their story ring
To earth's remotest border!

Fair daughter of the skies,
As million after million
In other days shall rise,
Beneath thy wide pavilion,
There may they find their names enshrined,
Their memory, green and spreading,
That all may know to whom they owe
The gifts thy hand is shedding!
O, live sweet liberty,
The course of time pervading,
Here may thy glory be
Still pure and never fading!

—

The following, also, (by Mr. *Pierpont*), were sung, near the conclusion of the ceremonies:

Long, in the nameless grave,
Bones of the true and brave!
Have ye reposed.
This day, our hands have dressed,
This day, our prayers have blessed
A chamber for your rest;
And now 'tis closed.

Sleep on, ye slaughtered ones!
Your spirit, in your sons,
Shall guard your dust,
While winter comes in gloom,
While spring returns with bloom,
Nay—till this honored tomb
Gives up its trust.

When war's first blast was heard,
These men stood forth to guard
Thy house, O God!
And now, thy house shall keep
Its vigils where they sleep,
And still its shadows sweep
O'er their green sod.

In morning's prime they bled;
And morning finds their bed
With tears all wet,
Tears that thy hosts of light,
Rising in order bright,
To watch their tombs all night,
Shed for them yet.

Nought shall their slumbers break;
For they shall not awake,
Nor yet be raised
Out of their sleep, before
Thy heavens, now arching o'er
Their couch, shall be no more.
Thy name be praised!

—

Sixtieth anniversary of the battle of Lexington—The Danvers celebration, on Monday, was carried through in handsome style. The weather was somewhat unpleasant, yet a large concourse of the citizens of Danvers, and of the neighboring towns, assembled to witness the exercises on this interesting occasion.

The object of the ceremonial was the laying of the corner stone of a permanent and appropriate monument, in memory of the eight citizens of Danvers who fell at the battle of Lexington, the commencement of the American revolution. The names of these proto-martyrs were Henry Jacobs, Samuel Cook, Ebenezer Goldthwait, Geo. Southwick, Benj. Daland, jr Jotham Webb and Perley Putnam.

At 10 o'clock, a procession of the subscribers, revolutionary patriots, and other gentlemen of Danvers and vicinity, was formed in the square fronting the old South meeting house, attended by a brilliant escort—the Danvers light infantry, under capt. W. Sutton, and the Danvers artillery, capt. A. Pratt, with a full and rich band of music. The procession proceeded through Main street to the burial ground, where lie the remains of several of the slain; thence countermarched to the Eagle corner, where the monument is to be erected.

The services at the church were of a very interesting character. Mr. King's address was highly appropriate, and was interrupted with repeated plaudits. After the exercises, a procession was formed, and escorted by the Danvers light infantry to the Essex Coffee House, where about two hundred, including a number of revolutionary worthies, partook of a collation, prepared by Mr. Benjamin Goodridge. [*Salem Gazette.*

When the procession reached the site of the proposed monument, prayers were offered, and the corner stone was laid. A box, containing various coins and documents, was deposited in it by gen. Gideon Foster, *who commanded a company of minute men at Danvers, which was present at the battle of Lexington*, and who accompanied the ceremony with the following address:—

Friends and fellow citizens:

On the ever memorable 19th day of April, 1775, now sixty years past, it was my fortune to meet in this place with numbers of my fellow citizens, to defend the rights and liberties of my country. The alarm of war was sounded. The enemy was then amongst us. The first blood of Americans was then shed. On the plains of Lexington the roar of arms was then sounding—the strife of war was then raging.

On that morning, more than one hundred of my townsmen hastened to the field of battle,—unused to the artifices of war—unskilled in the arts of slaying their fellow men—their hearts were flowing with zeal in their country's cause, and ready to offer their lives on the altar of their liberties. *Seven* of those who thus started in the prime of life, and vigor of manhood, ere that day's sun descended in the west, were numbered with the dead. Many others have marks of the well directed fire of the enemy.

To perpetuate the memory of those who then offered their lives for their country's good; to perpetuate the principles with which they were actuated, is the purpose of this day's meeting—is the purpose of the monument, the foundation of which has now been laid. May this purpose be attained—may these principles be remembered, and made the rule of action, in all coming time—and may the names which are here recorded endure until the granite of our own hills shall be crumbled in the dust.

I was then twenty six years of age. About 10 days before, I had been chosen to command a company of minute men, who were at all times to be in readiness at a moment's warning. They were so ready. They all assembled, on the *very spot* where we this day assembled—they all went; and in about four hours from the time of meeting, they travelled on foot (full half the way upon the run) *sixteen miles*, and saluted the enemy. This they did most effectually; as the records of that day most clearly prove. I discharged my musket at the enemy a number of times (I think eleven), with two balls each time, and with well directed aim. My comrade (Mr. Cleaves, of Beverly) who was then standing by my side, had his finger and ramrod cut away by a shot from the enemy.

Whether my shot took effect, I cannot say; but this I can say, if they did not, it was not for want of determined purpose in him who sent them. *Of those under my immediate command there is no one left alive.* Three of them were slain on that day—I alone remain to tell their story. I, a tottering old man, through the goodness of God, am still permitted to be here. I am permitted to see this day's ascending sun, and to witness these interesting ceremonies. I can truly say it is one of the happiest days, and most pleasing events of my life. A few days more at most, and perhaps very few, and I also shall be numbered with the dead.

But while I see the spirit that moved the patriots of '76 bright and vigorous in the breast of their descendants—while I see the rights of my fellow citizens maintained, and the constitution of my country defended—I can say, with Simeon of old, now Lord, lettest thou thy servant depart in peace, for mine eyes have seen the salvation of MY COUNTRY.

—

The venerable Jesse Smith, of Salem, who took part in the battles of Lexington and Bunker Hill, and was afterwards a soldier in the body guard of Washington, assisted in the ceremonies of laying the corner stone.

—

The Essex Gazette gives the following particulars in relation to the battle, published one week after the event:

The names of the persons whose remains are to be removed on Monday at Lexington, were Robert Munroe, Jonas Parker, Samuel Hadley, Jonathan Harrington, Caleb Harrington, Isaac Muzzy, and John Brown—all of Lexington. Azael Porter was the name of the citizen of Woburn, who was carried to that town for interment. These eight fell at the first fire; the list of all who fell during the day we insert also, that the reader may

see how wide was the alarm, and from what points was the gathering of the heroic provincials. John Raymond, Nathaniel Wyman, and Jedediah Munroe, of Lexington. John Russell, Jabez Wyman, and Jason Winship, of Monotomy. Deacon Haynes, and Mr. ——— Reed, of Sudbury. Capt. James Miles, of Concord. Capt. Jonathan Wilson, of Bedford. Capt. Davis, Mr. ——— Hosmer, and James Howard, of Acton. Daniel Thompson, of Woburn. James Millar and capt. William Barber's son, aged 14, of Charlestown. Isaac Gardner, esq. of Brookline. John Hicks, of Cambridge. Henry Putnam, of Medford. Abednego Ramsdell, Daniel Townsend, William Flint, and Thomas Hadley, of Lynn. Henry Jacobs, Samuel Cook, Ebenezer Goldthwait, George Southwick, Benjamin Daland, jun. Jotham Webb, and Perley Putnam, of Danvers. Benjamin Pearce, of Salem. In all thirty nine.

Wounded. John Robbins, John Tidd, Solomon Pierce, Thomas Winship, Nathaniel Farmer, Joseph Comee, Ebenezer Monroe, Francis Brown, and Prince Easterbrooks, (a colored man) of Lexington; Mr. Hemmenway, of Framingham; John Lane, of Bedford; George Reed and Jacob Bacon, of Woburn; William Polly, of Medford; Joshua Felt and Timothy Munroe, of Lynn; Nathan Putnam and Dennis Wallis, of Danvers; Nathaniel Cleaves, of Beverly. In all, nineteen.

The following appeared in "E. Russell's Salem Gazette, and Marblehead and Newbury Advertiser," on the 21st of April, two days after the battle. It was surrounded by a double row of coffins—twenty in each—and each having over it the name of one of the forty who were killed on this memorable occasion; an occasion which has produced events as important, perhaps, as any which have taken place among the histories of the civilized world. It is a sort of advertisement for the sale of the history of the fight, as it first appeared in print:—

"BLOODY BUTCHERY
by the
BRITISH TROOPS,
or the
runaway fight of the regulars.

Being the *particulars* of the *victorious battle* fought at and near *Concord*, situated twenty miles from Boston, in the province of Massachusetts-Bay, in New England, between two thousand regular troops, belonging to his Britannic majesty, and a few hundred provincial troops, belonging to the province of Massachusetts-Bay, which lasted from sunrise to sunset, on the 19th of April, 1775, when it was decided greatly in favor of the latter.

These particulars are now published in this cheap form, at the request of the friends of the deceased *worthies*, who died gloriously fighting in the CAUSE OF LIBERTY and their COUNTRY, and it is their sincere desire that every householder in the country, who are sincere well-wishers to America, may be possessed of the same, either to frame and glass, or otherwise to preserve in their houses, not only as a token of gratitude to the memory of the deceased forty persons, but as a perpetual memorial of that important event, on which, perhaps, may depend the future freedom and greatness of the commonwealth of America. To which is annexed a farewell elegy on those who were slain in the battle."

CELEBRATION AT CINCINNATI.

The following toasts were drank at the Buckeye celebration of the 7th ult.

Regular toasts.

1. *The day we celebrate*—Forty-seven years ago this day, the wilderness was first invaded by a civilized community; to-day, the same soil bears upon its surface a million of freemen. *Yesterday* a weak and an unprotected infant!—Hercules in his cradle—*To day*, emphatically, "the young giant of the west."

2. *Our pioneer fathers*—Neglected by their country, let us cherish their memories—the memory of such men is our noblest inheritance:

"Our waters murmur of their name,
Our woods are peopled with their fame."

3. *The Indian enemies of the pioneers*—They were a gallant people—may we who claim Ohio as the land of our birth, love it as well!

4. *The far west*—'Twas here—'twas in St. Louis—'tis now five hundred miles beyond: the voice of a great people, like the noise of many waters, goes up incessantly where recently dwelt the primeval solitude of nature:—The west, her march is onward to empire!

5. *The first settlers of America*—Pilgrims from oppression in the land of their fathers, they sought an asylum in the wilds of the new world:—Of the rich inheritance bequeathed to their posterity, the most estimable portion is their hatred to tyrants, and their love of independence!

6. *Our emigrant friends*—They are welcome amongst us. Our hospitality, like our soil, is open to all:—We disclaim jealousy, we claim brotherhood. May it be mutual.

7. *To the memory of those who in 1782 built the first log fort where Cincinnati now stands*—They little thought that they were laying the foundation of the queen city of the west! They are dead—but the city they have founded, is their living monument!

8. *The ordinance of 1787*—The charter of our social and political prosperity—it forever excluded from our borders the deep curse of slavery—may its principles be firmly implanted in our affections, and the remembrance of its author (the venerated Dane) indelibly engraven in the hearts of our children.

9. *National union*—The life of our political existence:—Tho' we delight in the preservation of our distinctive character, our affections are for our *whole* country, one and inseparable.

10. *Internal improvements*—Ohio may justly be proud that whilst engaged in the development of her *physical resources*, she has been mindful of those which pertain to her *moral* and *intellectual* excellence.

THE ARMY.

We learn from the Army and Navy Chronicle that general *Roger Jones* has resigned his commission, in the line of the army, as lieutenant colonel of the fourth regiment of artillery. He retains, however, his staff appointment as adjutant-general of the army.

The following list of promotions, and memoranda, are taken from yesterday's Chronicle:

Promotions.

Major A. S. Brooks, of the 3d artillery, to be lieut. col. of the 4th artillery, *vice* Jones, resigned.

Capt. Sylvester Churchill, of the 1st artillery, to be major of the 3d artillery, *vice* Brooks, promoted.

First lieut. Justin Dimick, of the 1st artillery, to be captain, *vice* Churchill, promoted.

Second lieut. Edmund French, of the 1st artillery, to be 1st lieut. *vice* Ramsay, appointed captain of ordnance.

Second lieut. William Palmer, of the 1st artillery, to be 1st lieut. *vice* Dimick, promoted.

Brevet 2d lieutenants T. A. Morris, and R. T. P. Allen, of the 1st artillery, to be 2d lieuts. *vice* French and Palmer, promoted.

Memoranda.

Lieut. col. A. S. Brooks has been ordered to take command of Fort Columbus, in New York harbour.

Assistant surgeon McPhail has been ordered from Fort Jackson, La. to Fort Gibson.

Lt. P. St. Geo. Cooke, has been directed to close his rendezvous at Winchester, Va. on the 25th instant, and proceed with his recruits to Carlisle, Penn.

Capt. J. Vail, of the 1st infantry, sailed from New York on the 23d ult. in the ship Mississippi, for New Orleans, having under his charge 89 recruits destined for Fort Towson.

First lieut. E. B. Birdsall, of the 3d infantry, sailed from New York on the 13th instant, in the ship Arkansas for New Orleans, having in charge 87 recruits, destined for Fort Jesup.

THE SILK MANUFACTURE.

From the Globe.

We take great pleasure in publishing the following correspondence. The subject to which it relates, the culture and manufacture of silk, is one of immense importance to this country. We understand that the president, at the time mentioned in his letter, with the vice president and other gentlemen, visited Mr. Gay's machinery, and all expressed themselves highly gratified with the exhibition.

Washington, Jan. 23, 1835.

To Andrew Jackson, president of the United States:

SIR: Though I have not the honor of a personal acquaintance, from your known interest in every thing that has a tendency to develop the resources, or extend the industry of this country, I have taken the liberty to address you, for the purpose of stating the business in which I now am, and for some years past, have been engaged.

I am employed in the culture and manufacture of silk; and to show you the perfection to which this manufacture has been brought, I send you a piece made by me from cocoons, procured by my own labor and industry. This, I pray you, to accept, and to dispose of in a way the most agreeable to you.

If, however, it would not be inconvenient to you, I cannot now withhold an expression of the gratification which I would receive in knowing that the chief magistrate of the only free government on the globe, was clad in part, in an article the growth and manufacture of our country, and for which our fellow citizens pay annually, to foreign countries millions of dollars.

In one of the rooms of the capitol, I have in full operation the improved machinery, showing the whole process of manufacturing silk, from the cocoon to the finished fabric in the loom. And if you could spare me but a few moments of your valuable time, I would take great pleasure in exhibiting to you the same.

With great respect, I have the honor to be, your very humble servant, GAMALIEL GAY.

Washington, Jan. 26, 1835.

SIR: I received with much satisfaction, the specimen of silk manufacture you had the goodness to send me, with your letter of the 23d instant. It is certainly one of the best fabrics

of the kind that I have seen, and, a successful development of one of the resources of our country, reflects honor upon your skill and exertions.

It will give me great pleasure to examine the machinery you employ in the manufacture of this article, and for this purpose, beg leave to name 12 o'clock on Saturday next, if not inconvenient to you, as the hour when I shall wait upon you. I am, very respectfully, your obedient servant,

ANDREW JACKSON.

Mr. *Gamaliel Gay.*

[We have some specimens of the work of Mr. *Gay*. They are beautiful, and deserving of the highest praise.]

THE SILK CULTURE.

The following letter, written by the venerable judge *Spencer*, of New York, relates to a subject of growing importance to the people of this country, and one for which the same eminent and enlightened citizen labored, though unsuccessfully, to obtain the fostering aid of the government when his state had the honor of being represented by him in congress.

Culture and manufacture of silk.

Albany, April 7, 1835.

To Samuel M. Hopkins, esq. Geneva, Ontario county:

From a long acquaintance, and, as I believe, a reciprocal esteem and friendship, I have thought that I could not better employ a leisure hour, than in addressing you on a topic which I regard as of high importance to our fellow citizens. You will not suspect me of insincerity or flattery, when I assure you that I know no man, whom I believe to have more enlightened views, or more ardent patriotism than you. Hence the propriety of my selecting you as a correspondent on the interesting subject which I proceed to state.

Since 1830 my attention has been drawn to the consideration of the culture of silk in this country, and particularly in this state. I am perfectly satisfied that no agricultural pursuit will bear any comparison with the culture of silk as regards profit. I should not want a better income than the clear profits of an orchard of the white mulberry trees, of twenty acres, at ten years old. The clear net profits of such an estate would not fall short of from $3,000 to $5,000 annually; and this profit would go on increasing with the growth and productiveness of the trees.

You have seen a communication made by me to the commissioners appointed by the governor, to examine into the economy, government, and discipline of the state prisons, which has been published, not, however, extensively. It contains some matter irrelevant to the culture of silk, and omits some things interesting to those who may embark in the enterprise. You must have observed, as a statist, that our annual import of silk amounts to the value of $10,000,000, and will increase with our wealth and population. The amount far exceeds the value of all our bread stuffs exported. This consideration ought to excite us to the inquiry, whether such a drain from the resources of the country cannot be prevented, a new source of industry be opened, which shall in a short period supply our own wants, and enable us to become exporters of either raw silk, or silk fabrics.

I consider it as a fact demonstrated, that our soil and climate is genial to the growth of the mulberry tree, and the culture of silk. Trees of this description are already growing and flourishing in various parts of the state, and I presume that the portion of this state from Skeneatales to Lake Erie, is peculiarly adapted to the mulberry, from the fact that the most delicate fruit trees come to great perfection within that region. Since 1760, the silk worm has been reared in Windham county, Connecticut, which is about the latitude of Albany. The culture of silk has been successfully prosecuted in that county, and it has reached to a large amount. The following is an extract from the Daily Advertiser of the 15th instant:

"*American silk.* Raw silk, we learn from the Burlington Free Press, has been produced this year in Mansfield, Connecticut, to the amount of over $60,000. The county of Windham, Connecticut, produces five tons of silk annually, valued at $500,000, and if reeled would be worth double that sum." If this be true, and that it is substantially true I fully believe, the question is settled that the soil and climate of this state is genial to the culture of silk. It settles also another question, that it is much the most profitable business that can be undertaken.

We have the testimony of Mr. D'Homergue, a man born at Nimes, in France, and brought up from infancy to the reeling and manufacture of silk, and who came to this country on the recommendation of the late James Brown, then minister in Paris, who asserts in his essays that he was surprised to find the American silk superior in quality, and in quantity yielded by the cocoons, to any he ever saw. But, my dear sir, could you have seen specimens of American silk exhibited in this city a few days since, manufactured by Mr. Gay, all doubt would be removed. These specimens were pronounced by the many who saw them to be equal, if not superior, to any silk which had ever been seen here.

Now, sir, what are the impediments to be overcome, in introducing the culture of silk extensively in this state? And here let me observe that there is no danger of overdoing the business; there will always be a demand in England for all we can raise beyond supplying our own wants; where, from the humidity of the climate, or other causes, the silk worm is not reared.

It is necessary to devote a small space of good and fertile ground, as a nursery in which to sow the seeds. It is computed that one ounce of seed, properly sown, after the ground is thoroughly ploughed, or dug and harrowed, or raked and sown, in drills, at about three feet apart, will give about five thousand young trees. They require to be kept free from weeds, and injury from cattle. At two years of age they are generally fit for placing in an orchard at the distance of from seven to twelve feet, at right angles—and here the labor of man terminates. All the subsequent culture may be conducted by women and children. They pluck the leaves, and feed and tend the worms until the cocoons are formed; so that you perceive the culture of silk detracts nothing from agriculture.

The greatest embarrassment hitherto has been the extracting or reeling the silk from the cocoons. The reels of France and Italy, and indeed of all parts of the world, receive the thread, which consists of the fibres of several cocoons, according to the requirement of the fabric to be made, in skeins, which must be spooled before it can be twisted. Two of our countrymen, Messrs. Gay and Mosely, have invented a reel which receives the thread on spools, and thus the labor and wastage of the old process is avoided. Mr. Gay assures me that an ingenious woman can be taught, in a short time, to reel, on his reel, with great perfection. A great advantage of reeling on to spools consists in its safe and easy carriage any distance without injury. We have, therefore, surmounted the most difficult process in the whole operation.

These gentlemen have also employed the several machines in use in France and England in the manufacture, so that it will require but a comparatively small capital to establish manufactories of silk in this country.

When we consider how admirably adapted to silk are our county poor house establishments; how the wants of the poor may be mitigated by inducing them also to enter on the culture, by obtaining leaves of the mulberry from their rich neighbors; how the middle classes of society may improve their condition by entering on the culture of silk; I feel, I confess, a strong desire to be able to persuade people to lose no time in laying the foundation of their culture by immediately setting about it in earnest, and not to let any thing hinder them from sowing the mulberry in the manner indicated this spring.

The *morusalba*, or white mulberry, I am satisfied is the most proper for making the best silk; the purple mulberry, which is indigenous to some parts of our country, although it will make silk, yet it is not of as good a quality. The *morus multicaulis*, or Chinese mulberry has recently been introduced into this country, but it is apprehended that it will not withstand our vigorous winters; and as the common mulberry will withstand them, and make excellent silk, I should not recommend the propagation of the Chinese.

I forbear saying any thing on the mode of rearing the worm. I am satisfied that it does not require the care and pains to rear it in this country, which the precepts of count Dandalo would imply. In due time instructions will be given level to every capacity. May I not count on your co-operation in this most important subject. With sincere respect and esteem, yours,

A. SPENCER.

THE SILK CULTURIST. We have seen the first number of a paper under this title, published at Hartford. It is in the quarto form, of the size of the New England Farmer, to be issued monthly, and conducted by the executive committee of the Hartford county Silk society.

We have selected (says a Boston journal) from this paper the following articles, chiefly for the purpose of informing our readers in this and other states what Connecticut is doing to promote and encourage the American System.

Native mulberry. The native, or black mulberry, grows spontaneously in the wilds of some of the southern and western states, and, though they grow luxuriantly and to a great size and are covered with foliage, yet they are worthless for feeding silk worms. The worms will eat the leaves and thrive upon them, but the silk they make is of a very inferior quality. The cocoons made from the wild mulberry are beautiful, and, by an inexperienced manufacturer, would be pronounced to be very superior. Even Mr. D'Homergue, a young Frenchman and the son of an eminent silk manufacturer at Nimes, in Languedoc, on the first examination, considered them preferable to those from the white mulberry. On a further examination, however, he decided that silk, of a merchantable quality, could not be reeled from them. He is of opinion, however, that scions of the white or Italian mulberry engrafted into wild mulberry stocks would produce a tree of hardier growth, and less liable to perish by cold, and other vicissitudes of atmosphere. He also thinks it would accelerate their growth.

Product and profit of a silk crop. The following is the statement of M. Carrier referred to in the statement of Mr. Harvey Clark, of Mansfield, and which he thinks is not exaggerated. M. Carrier is a silk culturist in the department of Aveyron, in France, and the statement is a part of a communication to M. Bonafous, director of the royal garden at Turin. As the account is stated in French weights, measures and coins, and as we may hereafter have frequent occasions to advert to them, we say once for all, that a kilogram is two pounds, two ounces and four grains avoirdupois; the franc is 18¾ cents; the c. (centime) one hundredth part of a franc, and the half hectare about 1¼ English acres. The land from which the crop was obtained

was rather less than a half hectare, and the trees, on an average, eight years old. The crop was raised in 1833.

The following is the statement of the net profit after deducting all expenses for management and filature:

29 1-5 kilograms white silk at 63 francs the kilogram	1,830f.	60c.
2 11-12 inferior silk at 18 francs the kilogram	14	95
	1,845f.	55c.
Deduct for portage	16	00
	1,829f.	55c.
Value of the different remains, coming from the remains of the filatures used at my house	115	00
Sum realized	1,944f.	55c.
For the expense of management 171f. 75		
For the filature, reeling, &c. 263 85		
	435f.	60c.
Profit	1,508f.	95c.

If the reader will take the trouble to reduce the statement to our weight, measure and currency, he will find that the product of one and a quarter acres was 69½ lbs. and the amount of sales $350 25, being about $5 per pound. The net profit, also, after deducting all expenses, will be found to be $290 44—equal to $232 32 an English acre. These facts are worth volumes of theory, and when taken in connexion with the fact that the United States furnish facilities for making silk, which are not enjoyed in France, cannot fail of satisfying the most cautious agriculturist of the certain success of this important branch of rural economy.

From the Hartford "Silk Culturist." Mr. Clark is the proprietor of two acres of land in Mansfield, of which about half an acre is covered with mulberry trees. He has made annually from these trees about thirty-five lbs. of raw silk, which for the last year or two has been reeled in the improved method. The leaves have usually been gathered and the worms fed for the first three weeks by Mrs. Clark and a young woman who lives in the family. After the first three weeks, Mr. Clark also devotes himself entirely to the business. The silk has been reeled exclusively by Mrs. Clark and the young woman above alluded to, at the rate of about one pound and a half a day. During the whole silk season they have also had the care of a family of eight small children. Mr. Clark has sold his raw silk this year at four dollars per lb. and has also received a premium of 50 cents per lb. from the state treasury. We have reason to believe that the same silk might have been sold at Lyons, or to silk merchants at New York, for five dollars per lb. Mr. Clark's mulberry trees are forty or fifty years old, and of a large size. They have been manured and cultivated with great care for the last fifteen years. Mr. Clark thinks that an acre of land covered with trees equal to those on his land will yield about 70 lbs. of silk a year. His silk house, or cocoonry, is fifty feet long and sixteen feet wide, and one story or about eight or ten feet high, not lathed or plastered, and may have cost $150 or $200. He has never had occasion to warm his cocoonry, as is practised in Italy and France; indeed, this has never been done by any of the silk growers at Mansfield. Mr. Clark informs us, that in the silk factory in Mansfield reels are now propelled by water power. A very small amount of power answers the purpose. Improved reels are now made by several mechanics who live either at Mansfield or in the vicinity. Mr. Clark states that his mulberry trees have been greatly improved by careful cultivation.

From the Northampton Courier. Mr. Samuel Whitmarsh is erecting an edifice of two hundred feet in length, east of his house on Fort Hill, as a silk house and cocoonry. The plan of it is original and promises the best results. The worms, while feeding, are now laid out upon boards and benches, by those who rear them, covered with mulberry leaves, and when for health and cleanliness they are required to be moved, it all must be done separately.

Mr. Whitmarsh's building is intersected by alleys, and on each side tiers of sliding frames or drawers rise from the floor upward. These frames are covered with lattice work of twine. The top one is laid over with leaves upon which the worms feed. The second frame, about an inch and a half below, is covered with strong paper or coarse cotton. All the stems of the leaves or offal from the worm fall from the lattice work above upon this draw, and when the usual time for cleaning them comes, instead of lifting each separately, it is only requisite to remove the lower draw and the cleansing is accomplished.

The leaf of the Chinese mulberry, which Mr. W. will use, is so tender that the worm will devour it all. Sometimes they will fall from the lattice work above upon the paper draw below. In that case, when a new supply of leaves is laid on above, the worms at once ascend, as the distance is not too great between them, to prevent their reaching above. This is a great and important change introduced into the method of feeding and cleanliness, saving time and promoting the health of the worms.

Another great improvement to be introduced by Mr. Whitmarsh, is the aid given the worms in winding their cocoons. Now, when the worms have terminated their feeding, easily known by their movements, branches of trees and bushes are laid over or suspended above them, and among which the process of winding is carried on. Consequently, they are much entangled, lost to sight, a great deal of labor and silk lost in securing themselves, and altogether an awkward method of separating the cocoons for use from the bushes.

He proposes, when the worms are ready to wind, to transfer them to upright frames, with twine lattice work, standing about an inch and a half apart. The worms will reach over from one frame to the other, fasten themselves at each extremity, and then in a small compass, envelop themselves in their cocoons. Every thing is then clean and compact, and after they have finished winding, the frames in pairs can be put away compactly, and when wanted for use, the cocoons easily taken off. The building is well contrived for ventilation and the reeling by steam power will be carried on in the same edifice. He intends to feed a million of worms this summer and reel four or five hundred pounds of silk.

The state of *Connecticut* gives a bounty of one dollar for every hundred mulberry trees, properly planted, and cultivated, until they are five years old; and also fifty cents for every pound of silk reeled "in the present improved mode."

The "Exchange bank," in Connecticut, is bound to furnish every county in the state, applying therefor, with 8 lbs. of mulberry seed, and also with eggs of the silk worm not exceeding 100,000—one reel for the purpose of reeling the silk, and a person capable of teaching the art and mystery of raising the mulberry, reeling the silk, &c.—all for the first five years after the formation of a county society.

A Middletown, Con. paper speaking of the "Silk Culturist," says—

"The culture of silk has excited such a general interest in Connecticut, that a work of this description was much wanted, and we cannot doubt that it will be liberally supported. The encouragement extended to this business by our legislature, attracted attention to it in the first place, and the diffusion of *facts* among the farmers now, is all that is necessary to insure its successful prosecution. It is stated by Mr. Clark, a silk grower in Mansfield, as a fact derived from his own experience, that an acre of full grown mulberry trees, properly cultivated, will yield foliage enough to produce 70 pounds of raw silk per year. At the lowest price, $4 50 per lb. the gross product is $315—from this deduct one-third, which is deemed amply sufficient to cover *all* expenses, and there remains $210, as the net profit of an acre. Mr. C. is a man of respectability and veracity, and there is no reason to question the accuracy of his statement. If there is any branch of agriculture carried on in this section of the country at such a profit, or any thing near it, we have yet to learn the fact. In Wethersfield some of the most fertile and best cultivated onion fields yield a net profit of $100 per acre; but most crops raised by our farmers realize to the grower a much smaller sum."

A letter from Washington, published in the *Albany Argus*, says—

"The only question then is, whether we can engage in the manufacture, relying temporarily for a partial supply of the raw material from abroad. This question, I think, is fully answered by the experiment already made by Mr. Gay, in his manufactory at Providence.* He has used silk imported from Canton, and produced fabrics which are pronounced by competent judges to be superior to the same kind of goods of foreign manufacture; and he avers they can be thus made at a fair profit. Why then shall we not start the manufacture as well as the culture? England has introduced the manufacture of silk at great expense. The peculiarity of her climate does not permit the culture of it. It has become one of the most important branches of her national industry. Several years since it was estimated that England paid for raw silk from abroad, about $9,000,000. The amount at this time is probably much greater. France, too, although her climate enables her to grow silk to a great extent, imports the raw material to an amount exceeding $20,000,000. If American ingenuity can attain the art of manufacturing silk, it would seem that there ought to be no obstacle to our engaging in it. Mr. Gay claims to have made material improvements in the machinery for reeling as well as weaving. He is about taking out patents for those improvements."

Raw silk, we learn from the Burlington Free Press, has been produced this year in Mansfield, Connecticut, to the amount of over $60,000. The county of Windham, Connecticut, produces 5 tons of silk annually, valued at $500,000, and if reeled would be worth double that sum. The same paper seems to think the cultivation of silk in Vermont would prove full as, if not more, valuable than wool; and adds, that the Yankees, by their ingenuity, have made more improvements in the raising of the worms, and simplification of machinery for reeling and manufacturing silk, in twenty years, than Europe in five centuries. The seed is cheap, and he advises every farmer to sow an ounce of it in the spring. A society has been formed in Hartford, Connecticut, to introduce and extend the knowledge of silk manufactures, the growth of the worm, &c.

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*A similar establishment is erecting at Poughkeepsie.
Ed. Reg.

A mechanic in Northampton, Massachusetts, has invented a most ingenious machine for reeling, spinning or twisting silk, applicable to domestic purposes, and to horse and water power. The Courier of that town says—"By this machine, the silk is separated from the cocoon and made into silk threads of any size wanted, spun, double and twisted, placed on quills, reeled or wound into balls, by one and the same operation—ready made into twist or sewing silk, or for coloring and weaving. The space occupied by the machine is only about five feet from the cocoon to the completion into silk finished."

The first experiments of raising silk in America were made in Virginia as early as 1622, and in 1732 attempts were made in South Carolina and Georgia to manufacture silk, encouraged by the British government—but were finally abandoned, the slaves being thought incapable of attending to the business. It was carried on to a considerable extent in Connecticut, some years ago; and in 1812-13 a mulberry orchard was planted in Cayuga county, New York—also at various other places, the most of which have declined, the difficulties encountered in the reeling being a general objection; which the inventions of Messrs. *Gay* and *Mosely* are "not only calculated to obviate, but which will facilitate the operation to a degree not hitherto equalled." Others have, also, invented very important machines—instance, at Northampton, Massachusetts, as above stated.

The white mulberry is also a valuable tree for other purposes. There is a fine growth of them at Poughkeepsie.

A Philadelphia paper states, on the authority of a discourse before the American institute, that there is "annually consumed in the United States more *silk* than all the wheat, corn, rye, oats, flaxseed, biscuit, potatoes and hops, which are exported, will pay for, by nearly two millions of dollars! Think of this, ladies, and beware how you extend the dimensions of your sleeves, or we shall be compelled to add cotton to the appalling list.

Speaking of the cultivation and preparation of silk, the "Geneva Farmer" observes—

"There is nothing that appears so well calculated to supply the place of the "*spinning wheel*," rendered useless by the "spinning jenny," as the preparation and manufacture of silk, and nothing that equals it for beauty and durability as wearing apparel. Young ladies who promote the culture of this valuable article, will be entitled to all the praise awarded to her whose hands wrought "wool and flax," and whose household was clothed in fine linen, and her "husband known when he took his seat among the elders of the land." The time is not distant when the lack of this part of domestic industry will be considered an evidence of a perverted taste, and the want of moral refinement. We would therefore urge the speedy adoption of measures for the prosecution of this branch of domestic industry, satisfied as we are that in so doing, we propose nothing but what is in accordance with the substantial interests of the agricultural community."

A New York paper says—

Many plantations of the mulberry exist in New England, and in some towns the silk manufactory has been carried on by individuals in a domestic way, and especially by some of our industrious Yankee girls, with great profit.

There is no manner of doubt, but that the cultivation and manufacture of silk will become a *great* business in the U. States, and that Messrs. Gay and Mosely's improvements in the reeling, will be a chief agent in it. It is a beautiful employment for females, many of whom have realized *fortunes* by it—and will supply farmers' daughters with all else that they need, in the way of clothing or ornament, even though it be made an *amusement*, and to fill up only their spare time. We rejoice in this prospect—when we consider that it will be rendered a matter of *profit*, for it is pleasant, indeed, to furnish new employments for females—who, on various accounts, cannot go into the factories to labor; and the silk, nearly ready for the loom, may be prepared *at home*. The attendance on the worms does not last long—and the reeling may be done at any time desired. The "Yankee girls" already furnish a supply of hats and bonnets of straw, *worth six or seven millions of dollars a year*—and will soon equal that large amount in silk, and will do much to enrich themselves and benefit their country. We do not know the amount of its value, as grown in *Connecticut*—but think that it is between one and two millions of dollars, per annum! and it must be worth a great deal more, when the whole of it is properly prepared for the loom. It requires but a small quantity of land to produce the mulberry—and the *spare time* in families, (except in the brief season of the worms, while growing), will produce more *gold* in one year than all the mints of the United States can coin in two, large as the noise is that is made about their workings!!

LEATHER.

The tanning of leather, and the manufacture of the articles in which it is principally used, are among the most important in this country, ranking third, if not second, in point of importance.

In the year 1831, congress directed the secretary of the treasury to procure returns of the manufactures in the several states, which was accordingly done, and the report was printed in 1833, for the use of members of congress. Of these returns, that from Massachusetts is the most full and satisfactory, and does great credit to the gentlemen who composed that commission.

The following is an abstract of the annual value of leather tanned, and shoes and harness manufactured in Massachusetts, according to this return:

Leather, tanned,	3,204,986
Shoes,	7,460,593
Harness,	187,300
	$10,852,879

This does not include leather used for carriages, trunks, &c. no clue to which could be had from the return, but which, if included, would probably increase the amount to over eleven millions.

Mr. Pitkin, in his "Statistics of the United States," just published, says: "The quantity of *sole* leather consumed in the U. States is estimated at 32 millions of pounds, (which, at 20 cents per lb. is $6,400,000). The total annual value of the manufacture of this article in the United States, must in some measure be conjectural. It is believed that it cannot be less than from 40 to 45 millions of dollars. This estimate cannot be deemed too high, when it is considered that the value of boots and shoes alone for fourteen millions of people must be from 28 to 34,000,000 dollars a year, allowing to each person for boots and shoes from two to two and a half dollars a year. The whole value of the manufacture of leather in Great Britain, with a population of 16,000,000, is esteemed by Mr. McCulloch at £12,500,000, or about $60,000,000." [*Bost. Advertiser.*

BRITISH HOUSE OF COMMONS—CANADA.

In the British house of commons, on the 9th ultimo, the affairs of Canada were the subject of a long and earnest debate, in the course of which the following remarks were made: Mr. Robinson said—

"An honorable and learned gentleman, however, told them that the Canadian party would never be satisfied unless they had an effective legislative council. That might or might not be a proper thing to introduce into the colonies, but such an experiment would be a complete departure from all the principles of British legislation by which the colonies had hitherto been governed. It was said they would rebel if the whole of their demands were not conceded, being backed by 13,000,000 of sturdy republicans in their neighborhood; but with all his acquaintance with the colonies he must be permitted to say that such was the opinion of only the most wild and visionary of mankind."

Mr. Roebuck

"Maintained that the feeling and disposition of the people in Canada was now perfectly analogous to those of the Americans in 1774; and he contended that the man who came honorably forward and stated the facts was the person who was rendering better service to the country than one who would disguise the danger, who would misrepresent the circumstances of the case, and lull the government into a fatal security."

Sir Robert Peel said—

"The honorable gentleman had told the house that unless every one of the demands of the petitioners were acceded to, they would rebel, and he followed up that by enlarging upon the friendly feelings entertained towards this country by the thirteen millions of inhabitants of the United States, telling them that the old jealousies of the American people had disappeared—that between them and us nothing but reciprocal good feeling prevailed—that, in a word, these two great countries were on the best possible terms, but that, nevertheless, if there should be a breach between this country and the Canadas, the United States would interfere in a manner hostile to England. Now, he would gladly learn whether the great country to which allusion was made had authorised the honorable gentleman to state in his place in parliament, that in the event of a resort to arms the United States would join the rebel inhabitants of our colonial possessions? He believed that no such statement had been authorised. If the Canadian people, or any part of them, put forth any menaces, or made any rebellious declarations, he made no counter declarations; the government of this country would still do justice, and the indiscreet menaces of others would only have the effect of raising up public opinion more strongly on their side; and that every fresh act of injustice, every fresh ebullition of intemperance, would recoil upon their authors, and give new strength to the government which disregarded those menaces, despite of which they were resolved to proceed. (Hear)."

SENATOR HENDRICKS.

The following is a passage of the circular of Mr. Hendricks to his constituents.

"There are in this report (on executive patronage) some curious and startling facts. The number of those dependent in a greater or less degree on the treasury of the United States, are stated to exceed 100,000; almost double the number so dependent ten years ago. And the current expenditures of the government are stated to have been in 1833 much greater than the current expenditures of 1825.

"This report, and the measures by way of remedy proposed, have produced animated discussions, but do not promise to be productive of any practical result. The subject will probably be exhausted in ministering food to party appetite. Should the revenue in coming years be found greatly to exceed the wants of the government, the tariff will, or ought to be, so modified as to protect the manufactures of the country, and let articles not manufactured in the country come in duty free; thus diminishing to the amount necessary for the current expenditures.

"But in this regulation, it is to be hoped that some permanent beneficial arrangement will be made for the internal improvement of the country, in its roads, rivers and canals. And it is reasonable, too, to hope, though there does not appear much foundation for such hope, that, under such circumstances, when we have more revenue than we know what to do with, and when the difficulty is not, how we shall raise revenue, but how we shall diminish it, we shall obtain for the new states some favorable regulation on the subject of the public lands.

"To an unbiassed reader of the constitution, one unlearned in the various constructions of that instrument, it would certainly appear strange that with an overflowing treasury, and one difficult to diminish, there should be hesitation, or difficulty, with any class of politicians, on the subject of internal improvements, which all admit the value of, and which the states, however destitute of means, are prosecuting with energy and zeal."

AN ACT RELATIVE TO BANKS.

SECTION 1. *Be it enacted by the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met, and it is hereby enacted by the authority of the same,* That the several banks in this commonwealth, now subject by law to the payment of tax on their dividends, shall hereafter pay into the treasury of this commonwealth, in the manner now directed by law, eight per cent. on all dividends which do not exceed six per cent. per annum—on dividends exceeding six per cent. and not exceeding seven per cent. per annum, a tax of nine per cent. on such dividends; and on dividends exceeding seven per cent. per annum, and not exceeding eight per cent. the said banks shall pay a tax of ten per cent. and on dividends exceeding eight per cent. per annum, such bank shall pay a tax of eleven per cent. provided the same shall not be applied to banks that have paid a bonus of five per cent. for their charters. [*Passed.*]

IN COMMON COUNCIL, MARCH 30, 1835.

Pursuant to notice given on Monday last, Mr. *Coltman* submitted the following paper, which was read and entered upon the journal. RICHARD BARRY, *secretary.*

Washington city, March 23, 1835.

The undersigned considers it due, not only to himself, but to those whom he represents, and who have honored him with their confidence, to protest, as he now most solemnly does, against the right of the common council to institute any investigation or inquiry into the conduct of any member of the board in relation to any matter whatsoever not arising out of the duties of a member of the council as such, and entirely disconnected with his official connexion with the common council of the city of Washington.

The common council of the city of Washington owe their existence to an act of congress, passed May 15th, 1820, entitled "an act to incorporate the inhabitants of the city of Washington, and to repeal all other acts heretofore passed for that purpose;"—by the second section of which act it is declared that the inhabitants of the city of Washington shall continue to be a body politic and corporate, by the name of the "*mayor*, board of aldermen, and board of common council of the city of Washington." And by the 4th section, amongst other powers vested in and granted to the two boards, is the following: "*Each* board shall appoint its own president, who shall preside during its sessions, and who shall be entitled to vote on all questions; they shall settle their rules of proceedings, appoint their own officers, regulate their respective compensations, and remove them at *pleasure. And may, with the concurrence of three-fourths of the whole, expel any member for disorderly behaviour and malconduct in office.*"

The clear and obvious meaning and intention of this latter clause, was to confine the powers of either board to expel any member, to the two causes named in the law, namely, "*disorderly behaviour, or malconduct in office,*" and not to give to either board a general supervising power over the private moral or political conduct of any member: for the first he can only be held amenable to the laws of his country, for the other, to his own judgment and conscience. Now under a law granting the power to the board of common council, to "expel any member for disorderly behaviour or malconduct in office," the undersigned cannot admit, that the board have any power to investigate or inquire into the conduct or behaviour of any one of its members, unless that conduct or behaviour be inseparably connected with his office, as a member of the common council. Were it otherwise, the great and fundamental principle of civil liberty, the right of being informed of the nature of the accusations against him, a speedy and impartial trial by a jury of his peers, the right of being confronted with the witnesses against him, to have compulsatory process for obtaining witnesses in his favor, and to have the assistance of counsel in his defence, would be entirely subverted, and by becoming a member of the board of aldermen or board of common council, would make himself responsible to a tribunal judicially unknown to, and not recognized by the laws of his country.

In the case now before the common council, it is not pretended, that in his official capacity as a member of the board, the undersigned has been guilty of disorderly behaviour, or malconduct in office, and for no other purpose have the board of common council any power to expel any member.

And yet, in the face of this law, by which their powers are declared, and from which they derive their existence, the board of common council undertake, upon a preamble and resolution introduced by one of its members, to appoint a committee for the purpose of investigating the conduct of another member of the same board in relation to a matter with which, as a member of the common council, he never has had any thing to do. By the 4th section of the act of incorporation, it is declared, that the board of common council shall consist of three members, to be resident in, and chosen from each ward, by the qualified voters therein. Suppose the qualified voters of any ward in the city chose to elect an individual as a member (he having all the legal qualifications) of the board of common council, whom that board may consider either incompetent to discharge the duties or unworthy the trust reposed in him, and that individual should be guilty of no disorderly behaviour or malconduct in office—from what source does the board of common council derive the authority to expel that member, no matter how incompetent or unworthy he may be?

The only power granted by the act of incorporation to the board of common council over the members of the board is, "*with the concurrence of three fourths of the whole, to expel any member for disorderly behaviour or malconduct in office*"—no punishment of any member other than that of expulsion being authorised by the act of incorporation. The undersigned protests against the right of the board, in their official capacity, to reprimand or censure him; nevertheless, the undersigned, conscious of the rectitude of his motives, and the honesty of his purposes, and fully sensible of the responsibility of every individual in society to the opinion of the community in which he resides, was willing and anxious that the committee appointed by the board should proceed in the investigation of the subject submitted to them, provided they would confine themselves to the testimony, and not make the report of the committee of the senate of the United States upon the same subject, the basis upon which to form their action; but that the committee should take such evidence as might be adduced, and upon this testimony, and the testimony taken before the senate's committee, to make a report. This proposition the undersigned made on the day appointed for the first meeting of the committee, to a part of the committee, but, to the utter astonishment of the undersigned, the proposition was utterly disregarded by your committee, and no further information was given by the committee to him upon the subject of the investigation, until the report made by the committee was presented to the board. Your committee having thought proper to pursue this course, and the board having thought proper to adopt their report, the undersigned begs leave most respectfully to have this his protest entered upon the journal of the board.

C. L. COLTMAN.

LAW OF NEW YORK.

An act to prohibit the circulation of small bills, passed March 31, 1835.

The people of the state of New York represented in senate and assembly, do enact as follows:

§ 1. It shall not be lawful for any person or corporation to pay, give or offer in payment, or in any way circulate or attempt to circulate, as money, at any time after the first day of September next, within this state, any bill, note or other evidence of debt, purporting to be issued by any body corporate, of a denomination less than two dollars; and it shall not be lawful for any person or corporation to pay, give or offer in payment, or in any way circulate or attempt to circulate as aforesaid, at any time after the first day of March, one thousand eight hundred and thirty-six, any such bill, note or other evidence of debt of a denomination less than three dollars; nor shall any person or corporation pay, give or offer in payment, or in any way circulate or attempt to circulate, as aforesaid, at any time after the first day of September, one thousand eight hundred and thirty-seven, any such bill, note or other evidence of debt, of a denomination less than five dollars, or of a denomination between five dollars and ten dollars.

§ 2. Any person offending against any of the provisions of the foregoing section, shall forfeit for every offence five times the nominal value of any such bill, note or other evidence of debt, to be recovered with costs of suit in the name and for the use of any person who shall sue for the same, and prosecute such suit to judgment in any court having cognizance thereof.

§ 3. It shall not be lawful for any corporation having banking powers in this state, at any time after thirty days from the passage of this act, to issue, or in any manner put in circulation, any note, bill or other evidence of debt, of any denomination less than two dollars; and it shall not be lawful for any such corporation, at any time after the first day of September next, to issue or in any manner put in circulation, any such bills, notes or other evidences of debt, of any denomination less than three dollars; and it shall not be lawful for any such corporation, at any time after the first day of March, one thousand eight hundred and thirty-six, to issue, or in any manner put in circulation, any such bills, notes or other evidences of debt, of a denomination less than five dollars: Nor shall it be lawful for any such corporation, at any time hereafter, to issue, or in any manner put in circulation, any such bills, notes or other evidences of debt, of a denomination between five dollars and ten dollars.

§ 4. Any such corporation violating the provisions of the foregoing section, shall forfeit one hundred dollars for each bill issued or put in circulation contrary thereto, to be recovered in the name and for the use of any person who may sue therefor; and the court of chancery may, by injunction, restrain such corporation and its officers from exercising any of its corporate rights, privileges or franchises, and from collecting and receiving any debts or demands, and from paying out or in any way transferring or delivering to any person any of the moneys, property or effects of such corporation, until such court shall further order.

§ 5. Any person who shall purchase or take at a discount, any bill, note or other evidence of debt, purporting to be issued by any banking corporation or body corporate, not chartered by the laws of this state, and the circulation of which is prohibited by this act, shall, in addition to the forfeiture provided by the second section of this act, also forfeit for every such offence the sum of fifty dollars, to be recovered with costs, in the manner provided by said second section; and any incorporated company in this state, that shall, by its officers, agents or servants, take or receive, in the course of its business, any such bill, note or other evidence of debt, purporting to be issued by any corporation not chartered by the laws of this state, shall, on conviction thereof, forfeit its charter.

§ 6. So much of the act entitled "an act to prohibit the circulation of bills of banks not chartered by the laws of this state, under the denomination of five dollars," passed April 20, 1830, as is inconsistent with this act, is hereby repealed.

§ 7. The fifth and sixth sections of this act shall take effect on the first day of September next.

State of New York, secretary's office. } This bill having been approved and signed by the governor of this state on the 31st day of March, 1835, I do hereby certify that the same became a law on that day. JOHN A. DIX, *secretary of state.*

FRAUDS IN LAND SALES.

IN SENATE OF THE UNITED STATES—MARCH 3, 1835.

Mr. *Poindexter* made the following report:

The committee on public lands, to whom was referred sundry resolutions of the senate, instructing the said committee to inquire whether any fraudulent practices, to the injury of the public interest, had taken place in the sales of the public lands at public or private sale, by means of combinations or companies of individuals interdicting by unlawful means a fair competition between bidders for the public lands; and generally to inquire into the conduct of the officers of the U. States charged with superintending the sales of said lands, and of the agents appointed by the president of the United States to locate Indian reservations, under the treaties with the Creek, Choctaw and Chickasaw tribes of Indians; and into the frauds, if any, which may have been committed in the purchase or sale of said reservations; which committee, and the chairman thereof, were authorised by the said resolutions to send for persons and papers, and grant commissions to take the depositions of witnesses whose attendance could not be had before the committee, have proceeded, as far as practicable, to execute the duties assigned to them by the senate, and beg leave to submit the following report, in part:

That the great extent of country over which the public lands are spread, and the numerous districts into which it has been divided by law, for the convenience of the purchasers thereof at public or private sale, rendered the investigations which the committee were instructed to make tedious and difficult, and in some cases impracticable; but every thing has been done which vigilance and industry could effect to overcome these obstacles, and a volume of testimony has been obtained, which is herewith presented to the senate, subject to such order as the senate may think proper to adopt in relation to it. It appears by the reports of the commissioners appointed to take depositions in several land districts, that most of the persons who have been large purchasers of the public lands, in connexion with combinations or companies of speculators, who were summoned to give testimony concerning the frauds practised by such companies, have either declined or positively refused to appear before the commissioners and testify. Hence the evidence is much more imperfect than it would have been if these persons could have been compelled to obey the summons issued under the authority of the senate. Many of the speculators were persons filling high offices in the states in which the public lands purchased by them are situated, and others possessing wealth and influence, all of whom naturally united to render this investigation odious among the people; and in this manner influenced numerous witnesses to refuse their testimony to facts within their knowledge, touching the matters into which the committee have been instructed to inquire.

In some instances the commissioners were threatened with personal violence, to deter them from the performance of their duties; and all who testified were denounced and put in fear by the powerful combinations whose conduct was the subject of scrutiny. In the district of lands subject to sale at Choccchuma, in Mississippi, the life of a person, acting as commissioner, was attempted; which however failed, and the assailant fell a victim to his own rash act. The committee have adverted to these circumstances to show the causes which have produced the delays in closing the examination of the witnesses, and the means employed to prevent a full development of the frauds which have so extensively prevailed in certain quarters in the sales of the public lands, which have resulted to the great injury of the public interests, and of the poor emigrant who desired to purchase a home for himself and family. The committee have withheld their report to the latest period of the session, in the hope that all the evidence might be received, to enable them to bring the investigation to a final determination; but in this they have been disappointed.

Many of the commissioners have not returned the depositions taken by them, and therefore the report must necessarily leave the subject open to the action of the next congress. The committee do not propose to enter into a tedious detail of the evidence before them, as it will accompany their report, and may be read and understood by all who desire to inform themselves of the frauds which it discloses. They will barely present a summary of the general character of these frauds, and recommend such remedies as may seem to be best adapted to the correction of them in future. It appears to the committee that the present system of laws for the disposal of the lands of the U. States is fully adequate to the protection of the public interests and private rights; and the only medium through which frauds of any kind can be practised, is in the mal-administration of the laws by the officers who are intrusted with the superintendence of the sales of these lands. That all the mischiefs which have been so loudly complained of are to be traced to those whose duty it is to execute the laws, the volume of evidence now submitted to the senate fully proves. The first step necessary to the success of every scheme of speculation in the public lands, is to corrupt the land officers, by a secret understanding between the parties that they are to receive a certain proportion of the profits, and that point being gained, every difficulty to the consummation of their plan of operations may be removed, without the hazard of detection.

These officers hold their commissions at the will of the president of the United States; and for causes such as have existed for several years past, and are believed now to exist, they ought in many districts to be removed from office; but the facility with which they may participate in frauds of the greatest enormity without detection, acting ostensibly under the name of another, and binding their associates to secrecy, and also the undue confidence often reposed in a political favorite or personal friend by the chief magistrate, too frequently protect officers who violate the laws from punishment, and thereby the public interests sustain injuries to an extent which cannot be accurately estimated. All these things have occurred for the last three or four years in districts where the most atrocious and outrageous frauds have been committed, as will abundantly appear by the testimony which accompanies this report. No officer has been removed for these causes; but the most guilty among them have been reappointed from time to time, until they have become bold and fearless in their course, well knowing how to retain their places and peculate on the public property. These defects are not in the law, but in its administration; and the remedy, if any, must be found in future legislation, applicable to the existing state of things.

The committee have received but little evidence of frauds committed or tolerated by the land offices north west of the river Ohio. These may nevertheless exist; but as no strong representations have been made on the subject, commissions for taking testimony have been sent only into the district of Zanesville, in Ohio. The evidence from that quarter shows a few cases of favoritism in the entry of lands at private sale; and, at one time, the practice pretty generally prevailed of making the land offices depositories of scrip, receivable in payment of the public lands, in which a system of speculation was carried on by the several registers and receivers, in a manner, and under circumstances deserving the severest censure of the government and the people. The late register at Zanesville was most deeply implicated in these speculations and other mal practices. He was rebuked by the senate by the rejection of his nomination for reappointment; and, with this exception, it is believed that the sales of the public lands in Ohio, Indiana, Illinois, Missouri, and the teritory of Michigan, are fairly made according to law. The states of Alabama, Mississippi and Louisiana, have been the principal theatre of speculations and frauds in buying up the public lands, and dividing the most enormous profits between the members of the different companies of speculators. The committee refer to the depositions of numerous respectable witnesses to attest the various ramifications of these speculations and frauds, and the means by which they have been carried into effect. That these depositions fall far short of the whole truth, on the subjects to which they relate, the commit-

tee cannot doubt, from the refusal of the parties concerned to appear and testify before the commissioners, or to answer interrogatories. From Alabama, the testimony is yet incomplete, and much more may be expected prior to the next session of congress. It appears, however, that an organized band of speculators has been formed in that state, with a large capital, on which immense purchases have been made of the public lands and Indian reservations in the tracts of country lately ceded to the United States by the Creek, Choctaw and Chickasaw tribes of Indians. The first proclamation of the president of the U. States for the sales of the lands acquired from the Creek Indians, by the late treaty with that tribe, was promulgated only four weeks before the sales took place; and, consequently, the inhabitants of that country had no opportunity of procuring the necessary funds to purchase the small tracts of land which they had settled and cultivated; nor, indeed, did they know, with a few exceptions, when or where the sales took place.

It appears from the testimony of ——— Magruder, one of the commissioners for locating the Indian reservations in that country, that none but speculators attended those sales and made purchases, and that so great were the sacrifices made in the sales for the want of bidders, that a single section was bid off at about eight hundred dollars by the agent of a company, and sold off the next day for as many thousand dollars as it had cost the purchaser hundreds. This case is selected as an example of what had occurred at these sales. The committee at the last session reported a bill to prohibit sales under these short notices, which was passed into a law, and therefore a like proceeding in favor of speculators cannot again occur. In Mississippi the most extensive speculations and frauds have been practised, and the committee proceed to state the character of them under general heads, referring to the testimony for more enlarged specifications.

I. The Mount Salus land officers.

The register and receiver at this land office, Samuel Gwin and George P. Dameron, were notoriously engaged in extensive speculations in the lands of the United States. In order to secure the most valuable tracts of land, of which they became possessed of accurate information by their official stations, they marked every such tract with the letter S; so that if any person wishing to purchase should apply for either of the tracts thus marked, the applicant was informed that the tract was previously entered, and in this manner it remained unsold until they, or either of them, could make a suitable profit by private sale, or found it convenient to pay the minimum price and obtain a final certificate of purchase. The same practice was likewise adopted to favor particular individuals who were the friends or favorites of those officers, and who had not the means to make prompt payment. It appears by the deposition of the present receiver in the said district, ——— Summeral, who is shown by the evidence to be an honest, upright man, and a faithful public officer, that at the time he took possession of his office, there were numerous tracts of land marked on the map with the letter S, which had not been sold, and which have since been opened to entry at private sale. The number of tracts so marked is stated at about two hundred.

2. These officers were in the constant habit of selling the public lands to applicants on a credit, exacting from the purchasers a separate note as a *bonus*, or interest, or the nominal amount of the purchase money, which they appropriated to their own use, and signed a receipt to the purchaser only when the money and interest were paid, and in the mean time the tract thus fraudulently sold was marked with the letter S, to prevent persons from making applications to enter it. The law required that the lands of the United States should be sold for ready money only.

3. These officers appear on the sale books to have become the purchasers of lands in their own names, contrary to the express provisions of law.

4. They stand charged, by the testimony of many witnesses, with gross partiality and favoritism between applicants for the same tract of land, and with other devices highly vexatious to individuals who might incur their displeasure, and injurious to the interests of the government. How far these or like derelictions of duty, in violation of law, have taken place in other districts in that state or elsewhere, will more fully appear by an inspection of the evidence. The committee, however, deem it due to justice to state, that the present land officers at Mount Salus district have done much to reform the abuses previously existing there, and these offices are now conducted with strict honesty and legal propriety.

II. The Chocchuma district.

Samuel Gwin was transferred to this office, as register, from Mount Salus. The committee will not enter into the detail of the profligate scenes which took place in this district at the sales which opened in October, 1833, and which have continued to characterize the register who controls the sales at private entry up to the present time. The evidence portrays greater enormities at this office than is believed to have occurred at any time in any land district in the United States. To this evidence the committee beg leave to refer the senate. It appears that three or more extensive companies of speculators met at these sales, who, in a very short time after the sales opened, united for the purpose of monopolizing all the good lands then offered at public sale, of overawing bidders, and driving all competition out of market. These objects were fully accomplished by certain articles of agreement entered into between the respective companies, a part of which have been published by a principal partner and agent of these companies. Among the extraordinary facts which the testimony discloses in relation to this combination, are the following:

1. That the agents of the company undertook to dictate terms to the actual settlers, and claim to themselves great credit for having *permitted* each occupant to purchase, or to purchase themselves for him, on certain conditions, a tract not exceeding one quarter section, at the minimum price of the government, to include his improvements, provided each settler should not bid at public sale for any other land. This privilege was granted by *permission* of the company of speculators, and the agents were employed to carry the same into effect, which they accordingly did. All who refused to enter into this arrangement, and they were but few, had no other alternative but to bid against the large capitalists, of which the company was composed, and purchase his land at a high price; but the instant he submitted to the authority of the company, his improvements were secured to him at one dollar and twenty-five cents per acre. One of the agents boasted that he had passed a pre-emption law in effect which had been rejected by congress.

Thus it will be seen that the laws were set at defiance; and a body of men, combined for the avowed purpose of speculating on the government, were permitted by the officers superintending these sales to dictate terms to bidders, to break down all competition, and even to arrogate to themselves the power of granting pre-emptions to actual settlers. These facts are well calculated to excite the indignant feelings of the people of these states, and ought to claim the serious consideration of congress. The evidence further demonstrates that three-fourths of the valuable cotton lands sold at Chocchuma, in October, 1833, were purchased by the agents of the speculators at one dollar and twenty-five cents per acre, with the exception of a few tracts which were purchased at a higher rate. It further appears that the company established an office in the vicinity of the register's office, at which they opened, on each day, a regular sale of the lands purchased by them at public sale, and, at this company sale, all were permitted to bid who thought proper; but at the public sales, the company claimed and actually enforced a complete monopoly. All this was done in open day, and could not be unknown to the officers of government who superintended the sales, and who either connived at or participated in these fraudulent transactions. For a specification of particular cases of violation of law, or manifest partiality on the part of the officers charged with the solemn duty of guarding and protecting the interests of the United States, the committee refer to the depositions on the files of the senate.

The committee perceive by the evidence that the same scenes were acted over at the sales which took place at Columbus in the same year, and therefore decline entering into a detailed account of them. The commissioner of the general land office, in reply to a call of the senate, made a report, by which it will be seen that all the lands in that year at the offices of Chocchuma and Columbus, were monopolized by the speculators, generally at the minimum price of the government; and by the same report it appears that in one year the president of the United States caused to be offered at public sale, in Mississippi alone, between seven and eight millions of acres, comprising the best lands in that great cotton region. The committee are of opinion that this quantity of land thrown into the market within so short a period of time, is unprecedented in the history of this government, and is highly prejudicial to the public interests.

It must be obvious to every one acquainted with the progress which has been made in the sales of the public lands, that the tide of emigration into any one of the new states, and especially the southern states, would not require the quantity of land for cultivation which has been put in market by order of the president, in Mississippi, for the period of fifteen or twenty years. The result is inevitable. A small portion of the lands thus offered will be sold at public sale, where competition might be expected; and immediately after the sales are closed, this vast body of land, consisting of millions of acres, will become subject to entry at the minimum price. Companies of speculators, with an almost unbounded capital, will forthwith employ agents to explore the lands remaining unsold; and every valuable spot will be entered, at the very inadequate price of one dollar and twenty-five cents per acre. The sterile lands alone will remain subject to entry by the emigrating population at the land offices, while all the good lands will be held by companies, who cannot be induced to part with them, except at a price at least equivalent to their actual value. In this manner the government has already sustained heavy losses, the extent of which it is difficult to ascertain; the emigrant is thrown on the mercy of the speculator, and the actual cultivation of the waste lands retarded to an indefinite period of time. The committee forbear to enlarge on the numerous interesting facts brought to light by the investigation with which they have been charged; they content themselves with having made the foregoing summary, and herewith report a bill, providing, as far as practicable, against the recurrence of similar frauds and combinations in the sales of the public lands. The committee, furthermore, deeming the conduct of the officers charged with superintending the sales of the public lands a fit subject for the consideration and action of the chief magistrate, beg leave to submit the following resolution:

Resolved, That the evidence taken under the authority of the senate, by the committee on public lands, in relation to the conduct of registers and receivers, and frauds alleged to have been committed in the sales of the public lands, be respectfully referred to the president of the United States.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 10—VOL. XII.] BALTIMORE, MAY 9, 1835. [VOL. XLVIII. WHOLE No. 1,233.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The present sheet has a *supplement*—and consists of 24 pages or about one hundred and thirty thousand "ems," of matter for reading and reference.

The copious extracts that we have made from late and important foreign news, (which will be found under the proper head), received at a late period in the week, has caused the omission of several things prepared for this number.

—

We insert some other papers concerning the affairs of Ohio and Michigan. It appears from later accounts, that a posse from the latter have made prisoners of the surveyors of the former, and sent them to prison. Arms were used, but no blood shed. In consequence, the governor of Ohio, who has a force of 500 troops collected at Monroe, has issued orders for the raising and marching of 10,000 men to that point, declaring the boundary lines shall be run, and the jurisdiction of Ohio extended over that portion of the territory she claims, in despite of Michigan and any assistance which the United States might afford her.

Gov. Lucas will first attempt a rescue of the commissioners—and take up his line of march to Detroit, whither they have been sent.

—

The bubble has burst about the Canton stock. From 260 dollars it has fallen to 100, at 12 months credit and 5 per cent. interest! This is more than it is worth—"by a great deal!"

—

APPOINTMENTS BY THE PRESIDENT.

Wm. T. Barry to be envoy extraordinary and minister plenipotentiary to Spain.

Amos Kendall to be postmaster general.

J. C. Pickett to be fourth auditor of the treasury department.

Michael Mahon to be consul at St. Jago de Cuba.

Department of state, May 1, 1835.

Mr. *Mason*, chief clerk in the post office department, retired with Mr. Barry.

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Much was said, a short time ago, about gov. *Tomlinson*, of Connecticut, and the amount of packages received by him, as a senator of the United States—since the rising of that body. They were forwarded by the secretary of the senate, and gov. T. had no agency over them. They were so sent to every member. But we meet with the following, in a Kentucky paper—

Examiner's office, October 2, 1834.

The office of Hawesville, Kentucky, reported a balance due the post office department for the quarter commencing 1st of April, 1832, and ending 1st July, 1832, of..... $11 88
From 1st July, to 1st October, 1832,..... 11 39
From 1st October to 31st December, 1832,..... 17 49
From 1st January to 1st of April, 1833,..... 16 13

Total for one year $56 86

The return from that office from 1st April to 1st July, 1833, exhibited a balance due to the postmaster, by the department, of $37 56, in consequence of his delivering from the office 5,040 free letters at two cents each, amounting to $101 32.

WM. G. ELLIOT, *chief examiner.*

The following is an extract from the transcript account of mails received from Hawesville, Kentucky, quarter ending 1st July, 1833.

"*Free letters received and delivered to hon. A. G. Hawes, without way bills, this quarter*, 5,040. WM. EDINGTON, P. M.

—

Our thanks are certainly due to the editor of the New York *Evening Star*, for the following very kind notice of our work—and we heartily offer them:

Niles' celebrated *Register* has reached its 47th volume, and is decidedly the best and most authentic history of the United States extant from 1811 to this moment. Its style is remarkably pure and sententious—its statistics accurate and complete, and its political opinions undisfigured by misrepresentation, personal invective, or narrow-minded prejudice. It aims constantly at the advancement of all that can give prosperity to the progress of science and useful arts, and duration to our free institutions. We rejoice to learn that the venerable* editor has numerous complete sets—every library in the country, and every state legislature and county record office should possess them. What a prize will these records be in after times?

—

Two unsuccessful incendiary attempts were made in Baltimore, in the present week—one in the midst of a great *board yard*, the other on a carpenters' shop; but they were discovered in time to prevent any considerable damage.

—

The steamboat "Advocate" has burst her boiler, on the Hudson, while landing passengers at Coeyman's, and 15 or 20 persons were severely scalded—some of whom dangerously, and the boat is a complete wreck. It is attributed to carelessness.

—

Emigration to the United States has commenced, and we shall have a precious quantity in the present year! There arrived, at New York, on Tuesday last, 145 from Havre, 79 from Aberdeen, 133 from Belfast, 11 from Antwerp, 123 from Bremen, and many cabin passengers. We shall have, probably, not less than 100,000 *citizens* in the current season!

There is a very strong emigration to *Texas* from the United States. Forty persons from *Baltimore*, many of them females, recently arrived at New Orleans, on their way thither.

—

The "*Richmond Whig*" of the 30th April thus announced the result of the late election in Virginia—

"SOLD TO THE DUTCH!

"*We have met the enemy, and*—WE ARE THEIRS."

[*Anecdote of the Petersburg election.*

"We confess that the results of the *fourth Monday*, have settled the question, as it relates to the character of the next legislature of Virginia. Enough is already known to establish the fact, that in that body there will be a strong administration, and, according to present appearances, a decided *Van Buren majority*. This last circumstance was to us wholly incredible, until the defeat of Curtis in Hanover, Healy in Middlesex, Pollard in King William, Ruffin in Surry, Shell and Wilkes in Brunswick, Cabell in Nelson, and Cocke for the senate, in the district of Amherst, Albemarle and Nelson, (a result anticipated by neither party), announced in rapid succession, left us no reason to doubt that such *was the will of the people!*

"As far as we and the present contest are concerned, we for our single selves, *strike the flag*, which until this moment, we believed would wave in eventual triumph.

"The Van Buren party have the destiny of Old Virginia in their hands. May they so exercise their ascendancy as to reverence her ancient principles, respect her renown, and protect her liberties. All *we* can do in this behalf, at present, is to pray. For ourselves we have fought the fight while a man was left to tread the decks. Individually and apart from country and the old cause of human right and liberty, we had nothing to gain by victory, and nothing to lose by defeat! If we have displayed warmth and zeal, they were inspired by no mercenary expectation, no grovelling aspirations; we have had in contemplation, nothing but the welfare of the people, and the maintenance of their liberties and rights. In so far as our bread is concerned, it is all one to us, what star is the ascendant, and who rules the destines of the state.

"We therefore submit with a good grace to that which we have done our devoir to avert, and to which we must submit, whether we will or no.

"The event leaves us where it found us, in uncompromising hostility to those who have abused their trust,

*We have no claim, however, to this title. We are "venerable," as *editors*, but not individually.

and prostituted the generous confidence of the people to the promotion of unholy schemes of aggrandizement: and a curse overtake the dastard who forsakes in this its dark and gloomy hour, the great cause.

"Let poltroons desert to the strong party, and mercenary politicians slide down to the clover side from the fence, on which they have long been stationed in inglorious security, awaiting the fortune of the field: the brave and generous man will love his cause the better for its misfortunes, and press to the rescue of its colors the more they are menaced."

And the "National Intelligencer" of the 5th inst. says:

Full returns have not been received from every district, but enough is known to show that the elections have resulted decidedly in favor of the administration party. Whether, however, they are decisive of the sense of the state, in reference to Mr. *Van Buren* and judge *White*, is another question.

In the congressional representation there have been seven ascertained changes in favor of the administration; that is, seven White men have been defeated; but some of their successors have also declared for White—how many we know not. The Virginia papers will shortly give us full information on the subject.

—

Extract from a letter dated at Buffalo, 22d April, 8 o'clock, A. M.—

"The Troy and Erie line boat Niles, from Troy, has just arrived with a full cargo of merchandise destined for Ohio, Michigan and Illinois. *No other boat has yet arrived from Albany or Troy.*"

[The lake, at Buffalo, was still filled with ice—piled layer upon layer. The Dunkirk Whig of 21st April, says that owing to the late strong winds blowing down the lake for several days past, the ice, which previous to the 21st ult. extended near 50 miles above this place, has been driven down about 10 miles below us, and lies packed up in one solid mass between that and Buffalo, so that it is believed that a navigable communication from Dunkirk to Buffalo will not be opened short of from three to five weeks! Should this be the fact, a vast amount of western produce will find its transit through the Welland canal, giving to the Canadas all the advantages of a trade which of right belongs to the state of New York.]

A letter from Buffalo, of the 25th ult. states, that, the day before, the steamboat Monroe, landed her passengers 15 miles from that place, being prevented by the ice from reaching there. The same letter adds, that vessels would be able to get out on the Monday or Tuesday following.

—

Post office department, 4th May, 1835.

NOTICE

To mail contractors, and others who are or may be creditors of the post office department.

The practice of accepting the drafts of persons in the employment of the post office department, for services thereafter to be rendered, as also for moneys due, will be discontinued. No drafts drawn after promulgation of this notice, will be accepted or paid unless drawn in pursuance of some special arrangement.

It is intended to pay promptly, at the end of the present and each succeeding quarter, all just claims accruing against the department, within such quarter, in such manner as will hereafter be made known.

As payments for services rendered will be promptly made, the performance of the services contracted for, will be rigidly exacted.

Fines will not be imposed without full inquiry and sufficient cause; but when imposed, they will not be remitted.

Arrearages of former quarters will be paid as fast as the department acquires the means.

No retrospective allowances will be made for any regular service hereafter rendered, such as carrying the mails in another manner, or more speedily or more frequently, than is stipulated for in the contracts. Improvements will be paid for only when they shall have been previously approved and ordered by the department, and the rate of allowance fixed according to law.

AMOS KENDALL.

—

A letter from chief justice Marshall, dated February 22, 1835, says—

Dear sir—I had the pleasure a day or two past of receiving your letter of the 16th.

Though entirely unable to attend the meeting of the Young Men's Colonization Society of Pennsylvania, they have my best wishes for their most complete success. In pursuing their object, which is at the same time patriotic and philanthropic, they seem to me to temper the ardor of youth with the wisdom of age. I look with much interest at the effective measures they have taken, and are taking, to accomplish an object which ought to be dear to every American bosom, and particularly so to our fellow citizens of the south.

I hope their judicious zeal will go far in counteracting the malignant effects of the insane fanaticism of all those who defeat all practicable good, by the pursuit of an unattainable object. With great respect and esteem, I am your obedient servant. J. MARSHALL.

To *Elliott Cresson, esq. of Philadelphia.*

—

The following may serve to shew the business on the *Erie* canal—

Utica, April 22, 1835.—From the 15th to the 21st inst. the following, among other property, has passed, been cleared from, and left at this place, on the Erie canal, viz:

30,639 barrels flour,
2,355 " ashes,
2,570 " provisions,
638 bushels wheat,
12,852 " coarse grain,
163,679 gallons domestic spirits,
1,396,585 feet lumber,
10,137 " timber,
12,315 staves.

Amount of tolls on clearances, passing and issued from this office during the same period, $25,753 05.

—

The *Kanawha Banner* says—Messrs. Donally, Noyes and Patrick, who, for a year or two past, have been engaged in the manufacture of coarse, or as it is called, alum salt, on this river, have recently completed additional works to be used in this manufacture. The first vat built, we have before noticed. It is 135 feet long and 16 feet wide, with a portable or sliding roof. Two salt houses have since been added. These are each 235 feet in length and 40 feet in width, and cover the evaporating and settling vats. We are not able to go into a minute description of the various fixtures belonging to these works, and can only add, that they are very ingenious and highly substantial.

We understand that the proprietors expect to manufacture at least one hundred thousand bushels of this salt during the current year, for foreign markets, in addition to what may be required for home consumption.

—

A wool grower in a neighboring town has recently sold about 900 pounds of mixed merino and Saxony wool, for 68 cents per pound; 62 cents was the highest offer made to him last summer and autumn. There is an impression among some intelligent wool growers that extensive manufacturers are about to make large importations of the foreign article for the sake of depressing prices here. From what we have seen in the papers, we should judge that wool would command as good a price this year as last, perhaps better. [*Northampton Gazette.*

—

A letter from Arkansas, says:—"Two miles from this, on the banks of White river, you see brick foundations of houses. Six miles from this six hundred and forty acres are inclosed by a wall, and in the centre there is a circular building. North of this, there are the ruins of a city; parallel streets crossing each other at right angles, may be traced by brick foundations, a mile in length; the bricks are shaped like modern bricks."

—

A simple slab of black marble in the burying ground of Picpas, in Paris, marks the place where repose the remains of Lafayette. It bears this inscription:—"Here lies M. P. J. R. G. M. de Lafayette, lieut. general, deputy; born at Auvergne, in 1757; married in 1776, Mdle. de Noailles; died in 1835—Requiescat in pace."

—

A Mr. Elliott York, M. P. attempted to cast reproach on Mr. Abercromby, that he was stewart to the duke of Devonshire. Upon tracing the presumptuous parvenu's ancestor through the present earl of Hardwicke, it was found he was hung for forgery in 1721! "These mushrooms of hereditary wisdom and nobility," says a paper, "will soon be brought down from their pride of place."

—

THE ANCIENT DOMINION. The following article connected with the origin of this term, as applied to Virginia, is taken from the Washington (Pa.) Reporter:

A copper coin was recently dug up in a garden in this place, which bears a curious relation to a part of our American history. It has on one side a head of George the III. and the words

"Georgius III Rex," around the edge. On the opposite side are represented the coat of arms of England, Scotland, Ireland and Virginia, quartered: and on the edge are the word and figures "Virginia, 1773."

The following historical facts are here distinctly referred to. During the usurpation of Cromwell, the colony of Virginia eluded to acknowledge his authority, and declared itself independent. Shortly after, finding that Cromwell threatened to send a fleet and army to reduce Virginia to subjection; and fearing the ability of this feeble state to withstand his force, she sent over in a small ship a messenger to Charles II, then an exile at Breda, in Flanders. Charles accepted the invitation to come over and be king of Virginia, and was on the eve of embarking for Virginia, when he was recalled to the throne of England. As soon as he was restored to the crown of England, in gratitude for the loyalty of Virginia, he caused her coat of arms to be quartered with those of England, Scotland and Ireland, as an independent member of the empire.

The above coin is clearly confirmatory of these facts. Hence the origin of the phrase "Old Dominion" frequently to Virginia.

"The "*Montreal Gazette*" thus irreverently speaketh of a convocation of the parliament of the colony, on the 30th instant—

We yesterday mentioned that his excellency had summoned the parliament to meet on the 30th May for despatch of business. One can hardly expect that the members of assembly will be so patriotic as to leave their batteaus, petty stores and their pig-sties, at a time most favorable both to agricultural and commercial pursuits. Some of the more public spirited fellows might make the sacrifice, if they were to be well paid for it; but, alas and alack-a-day, patriotism has been latterly a most unprofitable trade. The cheapness of travelling, however, will be in their favor, more particularly if opposition again bring down the steerage fare between Montreal and Quebec to fifteen pence. Such of them as cannot afford more, may get sea sick to save victuals.

Why is parliament summoned? To meet the royal commissioner? Time will tell; but the royal commissioner may be reasonably expected by the end of May. He will of course, come out in a fifty-gun frigate; and we deeply regret that the shallowness of Lake St. Peter will deprive the green breasted parrots of the "Help yourself society," of the welcome sight of so true a symbol of England's greatness. You'll rebel, will you? Pray do; and these five hundred blue jackets will knock you down with wadding and wallop you to tatters with rope yarns. Pray do rebel, most green green-horns.

FOREIGN ARTICLES.

Paris papers of the 30th March.

The committee of the chamber of deputies made a report on the 28th March, in favor of passing the American indemnity bill. After the discussion, which we annex, a motion to postpone the consideration of the report to the 7th of April, was carried—so that it is not probable that a final decision would have been made on the bill before the middle of last month.

Chamber of deputies, March 28.

The order of the day was the report of the committee on the bill relative to the claim of 25 millions demanded by the United States.

M. Dumon ascended the tribune, and stated that the committee had attentively examined the important question submitted to it by the chamber. He added, that as the government had most readily communicated every fact and document calculated to throw light on the subject, the labors of the committee were based on the most ample sources of information. The honorable deputy then entered at great length into the series of facts which had given rise to the pecuniary question now at issue between France and the United States. He traced the history of the lengthened negotiations to which that question had given birth, and which various incidents had prolonged from the period of the empire to the present day. He stated that the claim was on the point of being amicably and speedily settled when the revolution of July broke out, and that after that epoch M. Sebastiani offered at first 15 millions, then 20, then 24, and finally 25 millions of francs to the minister of the United States, who had demanded 40 millions. The offer of M. Sebastiani was subsequently accepted, and in consequence of it the United States had made some commercial concessions to France, such as the reduction of the duties on French wines, silks, etc. After some reflections on the rights which the chamber possessed under such circumstances, and on the danger of compromising by precipitation and want of prudence the friendly relations at present subsisting between the two countries, the honorable deputy entered into an appreciation of facts which he thought calculated to regulate in a just and equitable manner the amount of the debt. (Here several deputies of the centre exclaimed against the length of the report, and pressed the honorable deputy to come to a conclusion. Other voices cried—Read! read!" and when silence had been restored, M. Dumon proceeded with his report.) He presented some remarks on certain classes of ships which the committee had not admitted into the liquidation, and he then dwelt on the serious misfortune and loss which a rupture between France and the United States would inflict on both countries, inasmuch as each afforded the finest market in the world for the commercial produce of the other, the most considerable proportion of the silk manufactured, and the wines produced, in France, found a ready sale in the United States; and he earnestly deprecated any measure which could disturb so satisfactory a state of things. The reduction obtained on French wines by the direct effect or by an implied consequence of the treaty would be found to amount annually to 378,273 francs 28 centimes on white wines in wood; 405,926 francs 46 centimes on red wines in ditto; 229,488 francs on wines in bottle. Sum total, 1,113,687 francs 99 centimes. True, there was one set off against this enormous advantage. The privilege of navigation (in the ports of Louisiana), abandoned by France, was perpetual, and the reduction of duties obtained by her was temporary. But if the future might be judged of by the present, the compensation stipulated for the abolition of the French privilege of trading in the ports of Louisiana was the reverse of disadvantageous for France. The honorable deputy, having been interrupted by the impatient exclamations of the chamber, here skipped several pages of the report, and concluded by stating that the committee, though differing in opinion as to certain portions of the liquidation, had unanimously come to the conclusion that France owed 25 millions. (Laughter from the left.) The committee, though participating in the general emotion occasioned by the message of president Jackson, paid more attention to the voice of reason than to that of resentment, especially as the American congress had disavowed the propositions of the president, and had felt that France would refuse to threats what she was disposed to yield to justice. It was, besides, the intention of the committee to propose that the execution of the bill should be suspended till the offended dignity of France had been satisfied. (Sensation.) The honorable deputy then proceeded to read the articles of the bill to the following effect:—

Art. 1—The minister of the finances is authorised to take the measures necessary for the execution of the 1st and 2d articles of the treaty signed on the 4th July, 1831, between the king of the French and the United States, the ratifications of which were exchanged at Washington on the 2d February, 1832, and according to the terms of which the sum of 25 millions of francs is to be paid by France.

Art. 2—The sum of 1,500,000 fr. which the government of the United States has engaged to pay in ten annual terms, in discharge of the claims presented by France in behalf of her citizens, or of the public treasury, shall, in proportion as the recoveries are made, be credited to a special article of the budget. Credits shall be opened to the minister of the finances to a similar amount, for the discharge of the claims which shall have been liquidated in favor of French citizens.

Art. 3—A committee exercising its functions gratuitously, named by royal ordonnance, shall be appointed to examine and estimate all claims addressed to government, and to divide the sum of one million five hundred thousand francs amongst all the claimants having a right thereto, and if necessary in proportion to the just amount of their claims. All claims must be presented before the 1st January, 1837, under penalty of forfeiture of the same. The claimants may appeal to the council of state against the decision of the committee, according to the forms and within the delays specified for matters in litigation. The same right is reserved to the minister of the finances. An account shall be annually laid before the chambers of the payments effected on the sum of 1,500,000 francs. Should a portion of this sum remain unemployed, it shall be returned to the public treasury.

Art. 4—The payments to be made on the sum of twenty five millions of francs shall be carried into effect only in as far as the government of the United States shall have in nowise acted contrary to the dignity and to the interests of France.

M. Berryer observed that before any day was named for the discussion of the bill, he considered it necessary to demand an explanation on certain points. It had been said that after the vote, the execution of the law should be suspended, till the dignity of France had been satisfied. But who were to be the judges on that question? Ministers perhaps. In that case he would ask them, if since the message they had received any honorable or satisfactory explanation on the part of the president of the United States. The chamber was aware of the terms in which the message had been framed—terms so insulting, that, ministers had in consequence of them, recalled the French ambassador from the United States. So serious a determination must have resulted from a just appreciation of facts and it must be attended with certain consequences. He considered it impossible to discuss the bill now submitted to the chamber, till an explanation had been given on that point. He had been particularly struck with the double faced policy adopted by ministers on this question. On the one hand they had recalled M. Serrurier, and on the other they presented their bill to the chamber. Why this eagerness to satisfy the United States whilst smarting under the president's insult? The note published in the Moniteur contained literally the following words:—"in virtue of the engagements contracted by France." How was it possible for a constitutional government so far to forget the conditions of the diplomatic relations in which it was engaged? France had no engagements—on a pecuniary question there could be none for a constitutional government, till stamped with the sanction of the chambers. All treaties with regard to pecuniary matters were obliged to pass through the ordeal of a vote. But this was not all. The discussion of the bill might be pardoned or tolerated, had not fresh intelligence been lately received:

Here several deputies of the centre loudly exclaimed—"The order of the day! You are entering into discussion."

M. Berryer in continuation insisted that he was speaking on the order of the day. (Hear, hear.) Now that the question had increased in gravity, it was not to be thus passed over.—The point at issue related not to a debt, but to a compromise. (Here the honorable deputy was again interrupted by the vociferous exclamations of the members of the centre, who insisted on closing the discussion.) He would say that the present was not the moment for discussing the bill, when the relations between France and the United States had received so serious an interruption; and it was the duty of ministers to acknowledge that this was not the time for the chamber to adopt a decision with dignity. Ministers ought, through motives of proper delicacy, to defer the discussion of the question. (Here the president of the council exclaimed—"No, no.") Every line of Mr. Livingston's correspondence was calculated to inspire the American president with the idea of the offensive message by which France had been insulted. For his part, he was unwilling to believe that Mr. Livingston had imbibed elsewhere than in the suggestions of his own mind the idea that money could be extorted from France through the influence of fear—(Sensation)—but it was necessary to prove to Mr. Livingston, by an adjournment of the present discussion, that France would never yield any thing to threats. (Hear, hear, from the left).

The entire correspondence of Mr. Livingston had been laid upon the table of congress, and the president of the U. States had felt the necessity of recalling the American ambassador.—Nay, more, he had said that, consistently with the honor of America, the negotiations could no longer be continued; consequently the chamber, whatever might be its decision, would be placed in an undignified position. After the threat which had been solicited from Paris as the only mode of obtaining the sanction of the chamber—(Sensation)—ought the nation eagerly to open its purse strings?—(Murmurs from the centre)—No! the dignity of France must not be thus trampled under foot—no room must be left for suspicion that the acknowledgment of the claim proceeded from another than a conscientious feeling. In case of the rejection of the bill, no cause must be given for the impression that such an event resulted from a feeling of anger. He would add but one word more. In the United States an idea had been conceived, widely differing from that actually entertained in France, of the effect to be produced on the French by the president's message, by which Mr. Clayton himself had maintained that the dignity of the French people would be wounded. It was strange that what was due to the dignity of France should be better understood in America than in France itself.—(Sensation.)—He asked but little in requiring that the chamber should wait for the decision of the congress on the president's last message; and, consequently, he now made a formal demand that the discussion on the American claim should be adjourned till that decision was known.

The president of the council (the duke de Broglie) said, that the honorable deputy who had just sat down had entered into so many questions, that it became difficult to follow him.—(Laughter from the left.) He thought the best course would be, to resume one by one the facts which had taken place since the first communication of the message of the president of the United States. That message he could not regard in the light of a public act. It was not even an act of the executive power taken as a whole, for with regard to the relations existing between the two states, the president was the executive power only, conjointly with the senate. Strictly speaking, therefore, the French government might be supposed ignorant of the message. (Oh, oh.) In no case could the government demand explanations on an act which had not been treated of between both governments, and therefore, being unable to demand explanations, the French government had merely recalled its ambassador. This was the strongest measure that could be adopted—and it had been adopted. The act of the American president had not since the period referred to become the act of the American government; it had, on the contrary, been disapproved of, and consequently, the position of the French government remained unchanged with regard to the United States, and the former was justified in conceiving that sufficient reparation had been afforded by the discussion of the congress. The honorable deputy who had preceded him in the tribune had contended, that the correspondence of the American minister in Paris afforded evidence that the latter had, in a manner, dictated the offensive language of the president for the purpose of intimidating France, and obtaining the sanction of the chamber to the proposed law. This allegation, though published in the journals, had been denied by the American minister himself. After providing for the dignity of the country, it was the duty of government to do justice to the United States. (Hear, hear.)—The government had been always and was still persuaded of the justice of the treaty of 1831; it was now its duty to demand the discussion of that treaty by the chambers, and he would besides call attention to the last article of the bill presented by the committee, by the terms of which the minister would be still responsible for the execution of the treaty after the law had been voted—or in other words—no step towards payment would be taken should the interests or the dignity of France be compromised by the American government. It now remained for the chamber to discuss the bill, and if the existence of the debt, of which ministers entertained no doubt, were acknowledged, or the engagements entered into were deemed just and reasonable, it was the duty of the chamber to enable the government to fulfil those engagements, and for the due maintenance of the dignity and the interests of France, the responsibility of ministers was at stake. He would remind the chamber that the session was advancing to a close—that a bill such as that now submitted required immediate discussion, and that further delay would materially injure the commercial interests of the country. It was not too much to expect that the earliest moment should be named for the debate, which he trusted would at all events take place immediately after the period judged necessary by the chamber for the examination of the voluminous report just presented.

He demeed it incumbent on him once more to repeat, that no engagement had been hastily formed, no interest blindly compromised; and if for a moment he might make the improbable supposition that the government of the United States—the collective legislature with whom alone the French government could treat—was to be hurried into any act contrary to the honor or to the interests of France, the French government would do its duty, and the resolution of the chamber would be binding only on that condition. Ministers could affirm nothing—could guarantee nothing, on the subject of the intelligence recently received, as they were acquainted with it only through the ordinary commercial chambers; but even taking for granted the truth of that intelligence, he could see nothing in it of a nature calculated to suggest the remarks made by the honorable deputy who had addressed the chamber before him. The French government had recalled its ambassador, and therefore might naturally expect that by way retaliation, the American ambassador would also be recalled—and yet such had not been the case—for if the terms of the message inserted in the public journals were accurately reported, the American minister was to be recalled only eventually. The resolutions of which so much had been said, were those of an isolated member of the chamber of representatives. According to the tenor of the first of these it was decided that no room existed for fresh negotiations on the subject of the treaty already concluded—or in other terms on a point which had been already adjusted. The second resolution, as well as he could remember, bore upon the point that the committee of foreign relations might be released from the duty of reporting upon the president's message. The third resolution he could not at that moment precisely recollect; but the whole were merely propositions proceeding from a member of the chamber of representatives, and the only result had been an order to print them. Was there any thing in that result which should retard the deliberations of the chamber? Was it not, on the contrary, advisable that the chamber should proceed immediately to discuss the question submitted to it; especially when it was recollected that the result of the deliberation, whatever it might be, would become valid only in case no step at variance with the honor and dignity of France should be adopted by the government of the United States. He said the government, and he must request the chamber to pay particular attention to the expression. In conclusion, he had to demand that the discussion should be fixed for Monday week. (Hear! hear!)

After a few observations from Messrs. Berryer and Ducos,

M. Odilon Barrot proposed that on account of the number of documents to be examined by the chamber, the discussion should be postponed till Monday fortnight. (Cries of no, no, from the centre).

M. De Failly demanded that the discussion should take place in eight days after the distribution of the report. (Hear).

M. Dumon observed, that although a number of documents were to be published, the greater part of them had been already printed, and the report would be ready for distribution on Monday morning, and the other documents on Tuesday. Consequently, there was no obstacle to prevent the discussion from taking place in eight days. He begged to remind the chamber that the commercial men of France were anxiously looking forward to the result of the debate on this question.

The chamber having been consulted, the proposition of M. Odilon Barrot was rejected, and on the formal demand of M. Dupont (de l'Eure) it was decided that the discussion should take place in eight days after the distribution of the report and the other documents.

Many members have given in their names to speak on the bill, when it comes up—and what the end will be, is rather uncertain; but we think that the appropriation of 25 millions will be made.

March 29. The *Courier Francais* remarks that the recommendation of the report in favor of the twenty five millions might have been anticipated from a knowledge of the names of the committee and the reporter. The payment of the money is not indeed recommended, unless the government of the United States shall have done no act derogatory to the dignity of France. It remains to be seen, after the vote of credit has been passed, how the term "dignity of France" will be understood by the cabinet. As to the question of dignity, it is quite clear that a menacing message was delivered by president Jackson, and has recently been renewed in a second message to the chamber of representatives.

The *Journal des Debats* approves of the report on the American claims, and considers it to demonstrate clearly that France owes an indemnity to America much greater than the twenty-five millions of francs; and therefore, by settling the amount at that sum, the interests of the country have neither been neglected nor compromised. Nor has the honor and dignity of the country been forgotten; since the government is recom-

mended not to pay the amount till it is ascertained that no attack has been made upon them.

The *London Times* of April 1st mentions the receipt of Paris papers to the 30th March, and adds—"We perceive with satisfaction that it is the prevalent opinion in Paris that the chamber of deputies will adopt the conclusions of the report, and vote in favor of the grant of 25,000,000 francs, whereby this long-pending and harrassing question may be set at rest, and the preservation of peace be maintained between France and the United States."

☞—The proceedings in regard to this matter have been very —*unfortunate*.

First—We drew a bill on France, *without an appropriation having been made for its payment*, and the natural consequence ensued that it was protested; and the demand for damages made by the bank has been followed by domestic incidents involving the case in new perplexities. We never could understand the reason why the bill was *sold* at all. Had it been deposited for collection, these things might have been, in our opinion, avoided.

Second—The publication of the extracts from Mr. *Rives'* correspondence, boasting that he had overreached the French ministers, &c. These things should *never* have been published; but the time and manner in which they were—was unfortunate. There was no sort of necessity for doing it.

Third—We were surprised at seeing the correspondence of Mr. *Livingston* published—as were most persons. It has produced a great excitement at Paris; and, in fact, compelled him to make certain *explanations*, giving France an opportunity to talk about the dignity of the nation, *and forced him to retire, and wait the course of events in Holland*—so great is the general feeling of indignation that it caused. Indeed, it was proposed to postpone the execution of the treaty until the expressions were withdrawn! It seems that Mr. L's private opinions have been *unfortunately* published.

M. Berryer's reference to Mr. Livingston seems to be a common feeling in France. The friends of peace had to apologise for Mr. Livingston!

We shall see in the debate that will take place on this subject, frequent references to these things, and much bad temper displayed—however, we hope that a sense of justice and spirit of peace will prevail—not one of resentment; and the affair be settled.

The Paris correspondent of the London Courier says—

The American question is now the principal object of attention in Paris. Yesterday being the day appointed for receiving the report of the committee on the indemnity, the chamber was unusually crowded, and if any opinion can be formed from the appearance of approbation with which the unanimous recommendation of the committee in favor of the payment was received, that recommendation will assuredly be followed, though it must be admitted that the precipitancy of general Jackson has thrown immense difficulties in the way; for the stinging appeal of Berryer to the house, upon the humiliating position in which it would place itself by yielding to the threats of a war, evidently touched the tenderest point in the national character.

The New York "Mercantile Advertiser" says—

The Paris papers, generally, speak favorably of the above report and discussion, and the private letters continue to assert that there is no doubt of the passage of the bill. Several French merchants have instructed their agents here not to advance the prices on goods consigned to them, under the expectation that there will be any interruption to our trade with France.

A letter from Paris of March 31st, says—"Mr. Livingston is preparing to leave Paris. He has no recent advices from our government, the packet of the 1st inst. by which he expects them, not having arrived at Havre. The accounts via England, however, show the state of things at Washington, and Mr. L. has determined to proceed to Holland, to wait their issue, and for further instructions. He still seems confident that the chamber of deputies will pass the bill of indemnity, after the discussion to take place next week."

Later dates—Paris papers to the 10th April.

The frigate *Constitution* arrived at Havre on the 4th April—and captain *Elliott* proceeded forthwith to Paris, to make report to Mr. *Livingston*. It is not said whether the latter had hoisted for Holland; but it is probable that he had not. On the same day, the Albany arrived at Havre, with M. *Serrurier* and his family on board. And as on that day the American claims were discussing in the chamber, it is thought very "ominous" of—something!

The debate was renewed on the 9th April. The *duke de Fitzjames* made a silly speech against our claims—referring to the expressions of Mr. *Livingston* in his correspondence, as published, and said that "France would never permit the colors of hostilities to be degraded."—"France did not wish for war—nor did she fear it," &c. &c. He was replied to by the *minister of the interior*, who regarded only the *justice* of the matter—that he had replied "with dignity to the intemperate language of president Jackson."—that they had waited to hear the language of the other branches of the government—that they were satisfied—that the claim was just, and ought to be paid, &c.

The further discussion was postponed, after some other gentlemen had spoken. *It seems agreed that the bill will pass*—but we have not either time or room for particulars.

The correspondent of the Journal of Commerce, under date of "Havre, April 1," says, "The Poland has just gone out of port, but we wait a short time in the roads for the letters received this morning from Paris by Estafette. We should not have been sorry if she could have waited until to-morrow morning, as we think it very probable the vote on the indemnity bill will be taken to day. We have not a doubt of the bill passing, nor that the majority will be a large one, say from 70 to 80 in our favor. The Erie will sail on the 16th inst. for New York, and the Albany on the 24th.

London papers of the 4th April.

The Irish tythe question came up on the 3d April. A motion submitted by lord *John Russell* was debated, and decided against *the ministers*—322 to 289. The division was hailed with loud cheers! Lord John Russell followed up his victory, by calling up other things—and sir *Robert Peel* was again in the minority; and finally, as we learn by the way of Paris, on the 7th of April, the "CONSERVATIVE MINISTRY SENT IN A RESIGNATION OF THEIR PLACES. It had caused a great sensation; and a large quantity of speculations on the subject are published. It was believed that lord Melbourne would be again first lord of the treasury and premier, lord John Russell foreign secretary, Spring Rice chancellor of the exchequer, &c. the king being compelled to yield to the "pressure of circumstances."

This was announced by sir Robert Peel, in the house of commons, and the duke of Wellington in the house of lords. The former recommended an adjournment for a day or two to allow time to make the necessary arrangements, which was agreed to, and he then left the house, and was received by the crowd with loud cheers.

The prince Augustus de Leuchtenberg, the young husband of the young queen of Portugal, suddenly died on the 28th of March, with suspicions of poison, but most probably of the croup or quinsy, having had a bad cold. He was exceedingly popular, and much loved by his wife, and by the people, to whom he had been kind on all occasions. The duke of Terceira was immediately appointed commander in-chief of the army, that post having become vacant by the death of the prince. The appointment seems to be judicious and popular.

Mina, having now recovered his health and recruited his army, has determined to put an end to the civil war in Spain, and has warned the inhabitants of Navarre that, unless within eight days the young men who have taken up arms in favor of Don Carlos return to their homes, *their fathers, as well as the authorities of the places in which they live, shall be arrested and one out of five shot, and their houses burned to the ground.* The authorities are also commanded, under pain of death, to inform the nearest column of the queen's troops, of the appearance of any Carlists, the number, the chief who is at the head of them, and the direction they may take. The same penalty is denounced *against all surgeons and other medical men who may attend any wounded Carlists.*

Official—From the Globe of May 7.

Our private information from France is, that the packet which was to leave on the 16th of April, will bring with it the good tidings of the passage of the law providing for the indemnity. The probability is, that the great majority anticipated will be somewhat diminished by the indiscreet publication of Mr Livingston's correspondence by congress, to which the president was bound to communicate it for its information, but which the houses were by no means bound to publish to the world.

On which the *National Intelligencer* remarks—

The *news* is good, as far as it goes. But here is a confession of *indiscretion* in a quarter in which we certainly did not look for so much candor. The *publication* of Mr. *Livingston's* correspondence, it is now admitted, was "indiscreet;" Mr. *Livingston* has no doubt given the executive to understand as much. *Who* published it? Who broke the seal of privacy which ought to have protected it? The president himself, undoubtedly, and his advisers. It was they, and not congress, who *published* it. Congress did no more, after it was published by being sent to be read aloud to a thousand auditors, (some of whom were persons who could have caught and retained almost every word of it), than order it to be printed, that Mr. *Livingston* might have fair play, and not be misunderstood or misrepresented. Did the president's advisers suppose, that, after being once poured out before the public, the contents of that correspondence could be sealed up again, and kept for further use? They conceived of no such a folly. They knew they were spreading the correspondence before the people; they intended it to operate upon the people as well as upon congress: the two houses of congress paid to the president's message no more than a decent respect, never omitted on such occasions, when they ordered the documents, publicly transmitted to them by him, to be *printed*, for their more particular information, after they had been thus published.

The readers of the REGISTER will find the whole correspondence by referring to pages 305, 323 and 416, of the last, or 47th vol. By turning to the latter will be seen the "indiscretion" that is spoken of. The president in his message of the 6th of February (see page 416) says, "*Being of opinion that the* REMONSTRANCE *of the despatches of that minister* [Mr. *Livingston*] *cannot, at present, be laid before the house, consistently with the public interest,* I DECLINE TRANSMITTING THEM." Then follow the

papers, which have a great many asterisks, shewing omissions. It is a very lame attempt of the "Globe" to get out of a scrape—and had better not been made.

A FRIGHTFUL PICTURE.

A Paris correspondent of the London Courier furnishes a frightful picture of the war in Spain, between the Carlists and Christinos.

History does not afford a more shocking account of "rapine and outrage"—the savages of remote Hindostan could not indulge in more cruel excesses—even the enormities of Russia in her last contest with Poland, brutal and ferocious as they were, are surpassed in fiendish and horrible cruelty by the contending parties of the Basque provinces.

The writer gives this horrid and revolting statement.

"Now we hear of a Christinos chief giving orders to a band of ruffians to seize hold of some Carlists ladies, and to drag them over snows and precipices to the head-quarters of the queen's army. Then we hear of some Carlists robbers, (for they are in that case no better), dragging after their train, up to their knees in water, in mud, or in snow, the wives and daughters of Christinos officers, refusing all ransom, and breaking the hearts of their victims by insults and oppression. Here we learn that some Carlists made prisoners by the Christinos have been starved to death; there we learn that the Christinos made prisoners by the Carlists have been shot three days after their capture by the orders of Zumalacarregny. Here we learn that some hundreds of Carlists are butchered at one place in cold blood, and there we learn that a whole band of Christinos are surrounded by 6 or 8 Carlists batallions and not one allowed to live. The rights of prisoners are not respected; the claims of the unfortunate are not admitted. The mother pleading for her son, beholds her son brought forth and shot before her eyes; and the next moment she, herself is a corpse at the feet of her and her child's assassins. Even the women who carry provisions to the camp, who are respected as a matter of interest as well as of right, even these are butchered, until none can be found to carry a drop of cold water to the parching tongue of the dying and wounded. The wife who supplicates that the life of her husband may be spared, is received with the savage laugh which precedes her own wail of death, and in a few minutes herself and her husband are pierced with the bayonets of their brutal and exulting murderers. Children are hung lest they should grow up to be soldiers. Boys are massacred to intimidate their brothers and their parents. Sex, beauty, innocence, age, virtue, honorable conduct, the priestly office, the sanctuaries of religion—all, all are violated by both the contending parties; and no sooner do we execrate the name of Zumalacarreguy for some new murder, some new instance of barbarity and blood thirstiness than we receive the disgusting details of assassinations and violations committed by order of the general of the queen.

Before God and before men they are all equally culpable. Humanity veils her face before such scenes and the causes of liberty and monarchy are equally disgraced by the association with such facts, such men and such horrors.

OHIO AND MICHIGAN.

From the Toledo Gazette.

Notwithstanding the heavy penalties attached to the acceptance of office under Ohio, the election, under the special act of the general assembly of that state took place on the 6th of April, and, through the interposition of the hon. Messrs. Rush and Howard, no interruption on that day took place. But, so bitter had become the feelings of animosity, on the part of our northern neighbors, towards this place, and so flushed were they with the success of their expedition, on the 8th or the 9th, that no farther remonstrance or instruction on the part of these gentlemen, could have any influence in deterring them from the commission of further violence.

And although Messrs. Rush and Howard had expressly stipulated to governor Mason, in a written communication, of April 10th, that, under no circumstances would the general government sanction the use of force to put into effect the obnoxious law of February 12th, until congress had passed upon it, an armed force, consisting of about two hundred men headed by general Brown, marched from Monroe to this place on the 11th, to arrest and bring before the court to be tried as criminals, those persons who had accepted office under Ohio. In this attempt they were unsuccessful, as those who were liable to an arrest, and others who were "suspected," on learning their intention, retired from the town, and gave them full scope for a display of their military ardor, in tearing down the flag of Ohio, which some persons had hoisted at the top of a large oak, and dragging it about the streets with shouts of exultation and defiance!

Two gentlemen were taken prisoners, capt. John Baldwin and Mr. T. Stickney, and carried off by general Brown and his troops to Monroe. Against captain Baldwin, there was no legal process whatever, and on demanding by what authority he was held a prisoner, these ruffians answered him by pointing to their bayonets. After being thus rudely taken, and dragged more than 20 miles from his home, he was dismissed by the court!!! and was suffered to return. Mr. Stickney was bound over, for an alleged inteference with the ruffians, in their attempt to carry off Mr. Goodsell on the night of the 9th inst.

Such are some of the outrages to which the jealousy and envy of our neighbors have given rise, and which had produced so strong a desire on the part of our citizens to be placed beyond the reach of their animosity.

The honorable Messrs. Rush and Howard are now at this place, and we have every reason to believe, as well from the exalted moral character of these gentlemen—the high confidence reposed in them by the American people, and the general government, as from the indefatigable exertions they have made use of with all parties—that every thing that they could do, has been done to prevent proceedings so disgraceful.

But nothing can cool the ardor or control the passions of the youth who now rules the destinies of the territory, and upon him and his unhappy advisers, alone must rest the responsibility. Mr. Mason believes that his "interest at court" is so strong, and the continued countenance and support of gov. Cass, the secretary of war, is so certain, that no measures which he can adopt will be so extravagant, that he will not be supported and backed at Washington, and therefore the American people ought now to be prepared to hear of the perpetration of deeds and enormities, which under the existing state of things, may soon involve this proud republic in that most dreadful of all conflicts—a CIVIL WAR.

We apprehend that too little attention has been given to the tendency of the measures of the territory abroad. When it is recollected that the rights and the interest of three of the most powerful states of the west, Ohio, Indiana and Illinois, are equally and in the same manner affected, and that the claim set up by Michigan, involves some of the dearest and most important constitutional rights of those states and their citizens, does it not appear manifest that these movements of the territory are fast hastening us to a crisis, which may prove the most disastrous that has ever yet occurred in the history of this government?

From the Toledo Gazette.

Maumee, April 13, 1835.

MR. BROWNE: To answer at once the numerous inquiries, in relation to the outrages committed under the authority of the territory of Michigan, against the people of Toledo, Ohio, I make this communication.

On the night of the 8th instant, being absent from my residence in Toledo, about 30 miles, feeling the utmost security in the safety of my family—on the morning of the 9th, being on my return home, I was met by a number of gentlemen, at some 14 miles from Toledo, with the intelligence that a band of ruffians, of thirty or more, had, in the dead of the night, come to my house from Monroe, in Michigan, and in a ferocious manner demolished the door leading to the principal avenue of my house, and seized a gentleman (Mr. Goodsell) and bore him off, and treated his lady and my daughter (the only females in the house), with brutish violence—notwithstanding I exhorted all to exercise moderation.

But when arrived at the scene of action, and the females showed me their wounds, and related the tales of their sufferings, and I examined the demolished door of my house, bearing evidence of their inhuman malignity, it became a question whether moderation was longer a virtue, and my feelings could no longer be suppressed. When my daughter gave out the cry of murder, she was seized by the throat, and shaken with monstrous violence, and the prints of a man's hand in purple was strongly marked, with many other contusions. Mrs. Goodsell exhibited marks of violence likewise. This Michigan banditti proceeded likewise to the sleeping apartment of another gentleman, (Mr. McKay), burst in the door where he was asleep, seizing upon him in bed, and for the first salutation, one of them attempted to gouge out one of his eyes with his thumb. Those gentlemen report, that the invention of the gang was put in requisition, to put their lives in danger, and by their indignities to keep their feelings on the rack. After two days of court mockery at Monroe, those gentlemen were admitted to bail.

On the 10th, it was reported that an armed force was assembling under the command of general Brown, to march for Toledo, and take, as prisoners, all persons who had accepted office under Ohio, (about a dozen). On the 11th, they arrived, in force, as reported, of about two hundred strong, armed with muskets and bayonets. The officers of Ohio, having been lulled into security by the assurances of the commissioners of the United States, (Messrs. Rush and Howard), were not prepared for defence, and retired, and gave them full space for the display of their gasconade, which was fully exhibited by the brave general in pulling down the flag of Ohio, and dragging it through the streets at the tail of a horse, and other similar acts.

Thus the little territory of the United States has challenged the state of Ohio, in the form of unrestrained violence; and we cannot doubt, that the state has virtually accepted the challenge, and we are fast advancing to a horrid *border war*, that we know has frequently extended to indiscriminate extermination.

There cannot be a doubt that the generous Ohioans will turn out *en masse* to protect their northern border, and restrain the savage barbarity of the hordes of the north. Your obedient servant, B. F. STICKNEY.

We see by the following from the Zanesville Gazette, that the Ohio people are indignant at attorney general Butler's decision against Ohio in the late dispute.

The president having referred the Ohio and Michigan question to the attorney general, Mr. Butler, that officer has given

an unfavorable opinion to Ohio. It is well to have friends at court, and certainly Michigan has a devoted friend in secretary Cass, whose *personal interest* lies in that territory; a consideration, however, which is said never to have the slightest influence with politicians. We should be pleased to give a sketch of this opinion, which is long, but our leisure and limits will not permit our doing so this week.

In a late Michigan paper we find the following communication from the secretary of state to the legislative council of the territory:

Department of state, April 2, 1835.

To the legislative council of the territory of Michigan:

GENTLEMEN: The president has directed me to acknowledge the receipt of the memorial of the legislative council of the territory of Michigan, dated the 23d ult. requesting his interposition with the authorities of Ohio, to stay the proceedings for extending the jurisdiction of that state over the territory in dispute between it and Michigan.

The communications made by me to the acting governor of Michigan previous to the receipt of your memorial, and which have doubtless been laid before the legislative council, will have informed you, that the president, on being made acquainted, by the acting governor, with the measures which were in contemplation by the authorities of Ohio and Michigan, in regard to the disputed territory, made an immediate appeal to both parties for their mutual forbearance, expressing an opinion that the question at issue between them was one which, from its nature, could only be settled peaceably; and expressing a hope that, as the admission of Michigan into the union would soon afford an opportunity for a judicial settlement of the controversy, unless it should be previously done by congress, both parties would abstain from all measures calculated to interrupt the public tranquillity.

You will have seen by the same communications, that the president, in his earnest desire to prevent any actual collision between the parties, has sent two distinguished citizens, Mr. Rush, of Pennsylvania, and Mr. Howard, of Maryland, to confer with the governor of Ohio and the acting governor of Michigan; hoping by their personal representations, to give better effect to the appeal which he had already made to them through me.

These gentlemen set out some days ago, on this mission of peace, and will, by this time, have had an interview with one or both of those officers.

The president directs me to inform you, further, that all his constitutional powers will be used to bring this unhappy controversy to a speedy, peaceful and just conclusion. I have the honor to be, gentlemen, your obedient servant,

JOHN FORSYTH.

SPECULATION!—SPECULATION!!—SPECULATION!!!

We shall offer a selection of articles as to what is going on, in the way of "speculation." Verily, the people are mad!

From the National Gazette.

Speculations in stocks and real property is more general and extravagant than it has been before for many years, in all our principal cities. A gambling spirit is apt to prove epidemic, and becomes violent in proportion to its spread. It seizes on men in all sorts of circumstances, diverting them from the regular pursuits and hopes of industry, and stimulating them to risks by which their minds are kept in extreme agitation, and all their means exposed to sudden and ruinous vicissitudes. We are told by intelligent gentlemen who have been lookers on, of late, at Boston, New York and in our own city, that multitudes are now prominent and desperate dealers in the stock and other speculation markets, of classes and ages, callings and positions in life, that formerly were never seen nor expected, and themselves never thought of acting, in such scenes. Small tradesmen, shopkeepers, clerks of all degrees, operatives of town and country, members of the learned professions, students in the offices, beginners in the world without capital, or with a little, all frequent the exchanges and the auction-grounds to try their fortunes as with the lotteries. They chase bubbles not less intently than those who have leisure and money to spare. We scarcely need add that this diffusive excitement, subject as it is to rumors and various chances of the day or hour, is unfavorable to productive industry, to steady habits and sure aims, and to morals, which are always more or less in danger when hazard whets cupidity, governs action, and determines fate in a general whirl of spirits and thoughts.

From the Philadelphia Gazette.

Pennsylvania and Ohio canal. The improvement is one of the most important to Philadelphia, that has ever been projected. The books for subscription to the capital stock, were opened this morning at 10 o'clock, at the exchange, and the competition for access to the room was of the most lively kind. The whole number of shares offered, being 6,000 in number, were taken in less than half an hour. When this canal is completed, the trade of the upper lakes beyond Cleaveland, will have access to Philadelphia, one month before the Erie canal is opened. Several weeks ago the navigation of Lake Erie, west of Cleaveland, was opened, and we have not yet learned that the ice has left Buffalo harbor.

The following is from the *Philadelphia Inquirer* of yesterday morning:

Taking stock—Pennsylvania and Ohio canal.

There was quite an excitement at the exchange yesterday morning, in consequence of the opening of the books of subscription to the stock of the Pennsylvania and Ohio canal. Ten o'clock was the hour fixed upon for the commencement of operations, and long before that time, a large concourse had assembled. Among those present might be observed members of almost every class of the community; judges, congressmen, state senators, merchants, mechanics and common laborers—all apparently on the same errand—all impatiently waiting for the arrival of the designated hour, and speculating as to the chances of getting a slice of the stock. The scene was not without a moral to the reflecting mind—all appeared excited by the same fever of speculation, although here and there might be observed a hesitator who had not made up his mind as to the policy of subscribing, apprehensive that there would not be an immediate advance.

As the time approached the crowd increased—and the most anxious took stations immediately in front of the door of the apartment assigned to the commissioners, determined at least to make an effort to obtain a few shares, each man holding fast to the snug little bundle of bank notes with which he had provided himself. It soon became evident that there would be a rush—that the whole amount would be promptly subscribed for—and that hence the stock would *advance in price.* Some of the old and feeble, apprehensive that they would not be able to press their way through the crowd, and still anxious to make a trifle, offered an advance of one or two dollars per share, while, as the excitement increased, several who had not intended to subscribe, and had not provided themselves with funds, hastened home with the object of putting money in their purses. At last the exchange clock gave the signal; and the doors were thrown open, and helter skelter, old and young, merchant and mechanic, broker and baker, rushed into the room.

"I'll take a hundred shares," exclaimed a stout fellow, as, distancing all competitors, he presented himself at the table of the commissioners.

"I'll take fifty," bellowed another—"Zachariah Smith is my name;" and in he rushed, and took his station beside the first.

"Put my name down for twenty," squeaked out a diminutive little being, in the back ground, whose person was not perceptible, except to those immediately adjacent to him.

A dozen other voices mingled in the cry.

The commissioners were all this time as calm and undisturbed as a "summer morning," and the moment an opportunity was afforded, one of them, in a silvery and gentlemanly voice, most admirably calculated to soothe the troubled waves of excitement, very politely informed the would-be-speculators that the *stock had all been taken.* The commissioners had managed the whole matter among themselves.

We will not attempt to describe the scene that ensued. The majority enjoyed the joke; others looked rather down in the mouth, and walked off as fast as their legs would carry them; while a few discontented spirits muttered prodigious things, talked of foul play, threatened to upset the whole affair, and—so the matter ended.

From the Boston Advocate.

All the world is going mad after timber lands, Canton stock, South Cove company and the like speculations, which are taking place of the lottery mania that used to possess the community. One gentleman, near Roxbury, the other day pocketed his $20,000 by selling out Canton shares, and this, with the stories of sudden riches made by speculations in the timber lands of Maine, is

making industrious people neglect their steady business with sure gains, to run into hazards, which may make or mar them in a day. The Canton stock is made up of shares originally 50 dollars, in lots of land filled in, near Fell's Point, in Baltimore. These shares were selling at $210 by auction, day before yesterday, and an agent from New York snapped up all he could find from 205 to $215, and then announced that they stood $260 in N. York. Some of the holders of the bubble, we are told, talk of nothing less than $1,000 a share. We advise all to be cautious.

The South Cove company stock, in this city, has also run up. The par is $500, and it has been selling for 400 until recently. Yesterday, we understand, sales were made at $750. The timber lands are all the go in the market, and even the worthy Catholic bishop, it is understood, is dipping in, having purchased a whole township, which he is selling out to the Irish to make a *Catholic state* somewhere in the woods of Maine.

From the Philadelphia Gazette.

A correspondent has requested us to give an account of the South sea bubble, or the Tulip mania of Holland, as a sort of warning to the incautious dealers in stocks. We can mention a case much nearer home, which in its day made a great noise. When the old bank of the United States was chartered in 1791, there was a great plenty of money, owing to the revolutions in France and St. Domingo, which occasioned a considerable transfer of capital to the United States. After the subscription to the stock had been completed, a speculative fever seized upon our sober community. A share of stock was $400, and so wild was the phrenzy of the public to get hold of it, that the scrip for the first instalment of $25, was actually sold, as we have been informed by one who would be likely to know, as high as $320, being *eleven hundred and eighty per cent.* advance upon the sum paid. A reaction, however, not long after took place, and tremendous ruin was the consequence, as an example of which, the following was related to us many years ago, by a gentleman who was in business at that period.

Whilst the fever was at its height, and when all who were under its influence could see nothing but gold in their dreams, some one more knowing than his neighbors who had been offered a high price for his scrip *on time*, was so timid as to ask for an endorser. The party thus unhandsomely treated, who thought that the scrip was just as certainly worth 320 dollars as a loaf of bread was worth six cents, related this unreasonable demand to a board of speculators to which he belonged, when they all burst out in a roar of laughter at the simplicity of a man who could think that the scrip was not good security for its market price. By way of cracking a joke upon this timorous mortal, it was proposed by one of the company that his demand should be complied with, and that he should be fairly surfeited with endorsements. A note was accordingly drawn up, and signed by the member of the board who wished to purchase, and endorsed by *all the rest*, making a string on the back of the note which hardly left room for an acknowledgment of payment at the bottom. In truth, however, there was no need of such room. Before the note became due, the whole party had occasion to laugh on the other side of their mouths, and not a soul was left to pay the note.

From the New York Evening Post.

We believe that the community, intoxicated with the favors of the banks, as with the cup of a modern Circe, have lost sight of prudence, and are blindly rushing into a state of things from which they will not be easily retrieved. A crisis is approaching, and is near at hand, to which the panic and pressure of last year will be trifling in comparison. There is a larger sum of money, or rather a larger amount of credit, loaned out in this community at the present time, than there ever was before. Notwithstanding this extraordinary inflation of the currency, the banks continue to discount every note which bears the semblance of responsibility, and, as the Journal of Commerce observes, "every thing is dear but money." * * * * * *

This distress can be but short-lived, but it may be very severe; and it is impossible to tell what stately vessels, now floating gallantly on the sea of credit, may not be stranded by the hurricane. The business of this metropolis is terribly expanded. Speculation has run wild among us. Many real capitalists have sold their property and invested the proceeds in distant states, while their land and houses have fallen into the hands of men who raised the purchase money on their credit, and had no object but to sell again at an advanced profit, and put the difference in their pockets. The storm will come on, while many of these summer adventurers, who have waded beyond their depth, are exposed to its wrath. And not on such alone, but on honest enterprise; on all who have trusted the fickle waves of bank credit, will it spend its fury, and fortunate will he be who shall escape shipwreck and destruction.

From the New York Evening Star.

Yesterday, after the extravagant rise of stock, and the immense sales had taken place at the board, it was suggested that their room was not half large enough to accommodate their numbers, and that a larger place must be procured. One of the gentlemen said he understood there were excellent accommodations that could be had at the "*Lunatic Asylum.*"

PROPERTY IN NEW YORK, AND ITS VICINITY.

[*Specimens.*]

The property of T. B. Guning, esq. on the Old Kiln road, formerly the country residence of the late William Bayard, esq. comprising 125 lots, was sold on Monday, at auction, by Messrs. Bleecker, and brought upwards of $260,000. This property borders on the North river, about two miles from the City Hall. [*N. Y. Mer. Ad.*

A lot in William street, next to the corner of Wall street, 31 feet front, 38½ in the rear, and 75 feet deep, was sold yesterday, at auction, for *fifty-one thousand five hundred dollars.* Lots in Stone street, running through to Mill street, which is to be widened and opened into William street, sold at the rate of $20,000, for a width of 25 feet. [*N. Y. Jour. of Com.*

A correspondent states that within the last ten days, three large sales of property have been effected at Hallett's Cove, viz: the country seats of Messrs. Blackwell, Perrott and Anderson, each containing about twenty acres, for ninety thousand dollars, or thirty thousand dollars each. Five years ago, these lands could have been easily purchased for one hundred dollars per acre. These purchases were made at private sale. Besides, a large field was sold in lots by public sale, on the 25th of April, for near four hundred dollars per lot. The purchasers were chiefly merchants from New York. These lots lay back from the river near half a mile, and could have been bought for a mere song a few years ago. When the *ship canal* goes through, Hallett's Cove will soon rise into a town.

One acre and one third of ground, with a two story frame building, was sold at public auction last Wednesday, at Hallett's Cove, to a merchant of New York, for *ten thousand and three hundred dollars.* Five years ago, this sum would have purchased two farms in that village. In this way the Cove begins to rival her sister, Brooklyn. *Com. Adv.*

Capitalists are turning their attention to investments in this city. We understand that James Stevenson, esq. has made sale of one parcel of property on State street and south Pearl street, for $42,000, and Mr. E. C. Delevan has sold his estate in this city for $243,000, to a company in New York. [*Albany Adv.*

A peremptory sale of 5,500 lots on Staten island will commence to-morrow at 12 o'clock, by Messrs. Bleecker. The opportunities of communication with this city are constant and rapid, the island is healthy, and the ground to be sold lies on the main road to Philadelphia.

Real estate is advancing in *Jersey city.* It has doubled in value, in some instances, within two years. We hail with delight all such evidences of the increasing prosperity of our common country. [*Fredonian.*

Mrs. *Melmoth*, the actress, bought a piece of land on Long Island, about thirty years ago, for $300, which was sold a few weeks since for $64,000.

Three years since, building lots on Brooklyn heights would be readily obtained for $700—now they are worth $8,000!

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IMPROVEMENTS AT BOSTON.

From the Boston Daily Advertiser.

The plans of improvement now in contemplation, or actual progress in this city and its neighborhood, are so

[illegible]

At east Boston, several buildings, including a [illegible] spacious and [illegible] hotel, were completed in the course of the last year. This hotel [illegible] soon opened, and the access to the island will be rendered easy and convenient by new and elegant steamboats. The improvements, [illegible] with much vigor during the last year at Chelsea, will manifest [illegible] Roxbury, where many elegant dwelling houses have recently been erected, particularly at Mount Pleasant, we observe that several others are now building. An important plan is in contemplation at south Boston, consisting of the erection of dwelling houses on a commanding site, making a part of Dorchester heights. In connexion with this subject, it may not be improper to mention, that the building of the monument on Bunker Hill will be immediately resumed, under circumstances which, we trust, will insure its completion at an early period.

From the Boston Evening Gazette.

During the present summer we expect to see a great stride made in the local advantages and improvements of our city. In the first place, the three rail roads will be in successful operation. That to Lowell will be ready for travelling in less than a month—that to Providence will be opened in June—and that to Worcester in July. When these arrangements are made, an experimental traveller may breakfast in Lowell, dine in Worcester, and sup in Providence.

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A company have purchased the estate of William Pratt, esq. at the corner of Pearl and Milk Streets, for the erection of a line of warehouses, at the price of $47,000—and Merchant's hall has been sold for the same purpose at the price of $35,000.

A number of elegant dwelling houses are now being erected on Louisbourg square and Cedar street, which

[illegible]

[illegible] He viewed it [illegible] the law itself, of [illegible] associates [illegible] the first blood [illegible] He consider[illegible] that the 3 pence [illegible] comparison with the [illegible], the people re[illegible] to be taxed with[illegible] resisted it. He believ[illegible] commenced in the town meetings of Massachusetts, where the rights of the people were considered and discussed. So was it understood by the English parliament, which in 17[illegible], passed a law to prohibit the town meetings of Massachusetts except for the necessary purpose of choosing town officers. He quoted a part of the preamble to this law, stating that the people had been misled into a mischievous and unwarrantable interference with subjects not connected with the regular business they were assembled to do, and made some appropriate remarks upon this "unwarrantable and mischievous" taking of the subjects of liberty, right and constitutional law into their own hands. He then alluded to the oration of Mr. Everett, which he considered one of the happiest efforts of his life, and concluded with the following sentiment:

The orator of the day. Truly in the language of another as quoted by himself, the day is come and the man is come. "*What a glorious day is this!*"‡

‡ These words were used by Samuel Adams. Mr. Everett had stated that Adams and Hancock were at [illegible] Clark's house when the attack of the British was made at Lexington. It was supposed to be the object of the British detachment to secure their persons. They therefore, by the urgent persuasions of their friends, were induced to leave Mr. Clark's house for a safer retreat; on the way, hearing the firing, Adams "whose prophetic soul saw that liberty and independence must follow," cried out "*what a glorious morning is this!*"

The president introduced the following sentiment:—

The orator of the day—He has done ample justice to the men whose individual characters he has this day eulogised—he has thrown a halo of glory around deeds, more enduring than the granite which covers their remains.

Mr. Everett briefly returned thanks for the kind terms, in which his efforts had been noticed; but would not take up the time of the company on a subject so unimportant as what personally concerned himself. He would rather take advantage of the opportunity of addressing the company, to pay his humble tribute of respect to the venerable survivors of the 19th of April, 1775. He rejoiced to be able to state, that of those enrolled in capt. Parker's company of militia, on that day, eleven were still living, of whom one only—living at a great distance—was absent, and the remaining ten now honored the company with their presence. He was sure he should gratify every person present, by repeating their names. They were Dr. Joseph Fiske, Messrs. Daniel Mason, Benjamin Locke, Wm. Munroe, Jonathan Harrington, Ebenezer Simonds, Jonathan Loring, John Hosmer, Isaac Durant, Josiah Reed. Mr. Solomon Brown was absent. Having named those venerable persons, who had been spared by a gracious Providence to so advanced an age to participate in the celebration of this memorable anniversary, he would only add farther as a sentiment:—

The health of the survivors of capt. Parker's company—May they experience in the feelings, with which they are met this day, some compensation for the anxiety, perils and suffering of the 19th April, 1775.

The president proposed the following sentiment:—

Hon. Daniel Webster—His unshaken firmness, his unspotted integrity, and the gigantic powers of his mind are surpassed by nothing but the everlasting hills of his native state.

Mr. Webster rose on the announcement of this sentiment, and was received with the applause of the whole audience. From the very imperfect notes which we were enabled to take, we cannot presume to give a correct sketch of his remarks. We can only mention some of the points touched upon. He esteemed it a pleasure and an honor to be invited to be present on an occasion of so great interest. He supposed there could be no man in this republic, who entertained a just estimate of the value of liberty or a just estimate of its cost, who could contemplate the history of Lexington battle without strong emotions. He inferred this from the course of his own feelings. It was now many years since he, when a young man, unknown in this commonwealth, and without a single acquaintance in this village, passed a whole day in viewing this scene of holy martyrdom, and in meditating upon the results, consequent to his country and the world from that great drama, whose first scene was acted here. He could suppose that from the Atlantic to the untrodden wilderness, from the furthest east to the Gulph of Mexico, there was not an American citizen, who did not possess and feel a degree of happiness, and of hope for posterity, intimately connected with the occurrence transacted on this spot. He confessed he was not able to limit even to this continent his view of the consequences of this commencement of the revolutionary war. It was designed and accomplished under great hazards and trials, and with wonderful success, for the universal cause of liberty. A new world and new state of society was brought to light. It sprung up, not like the natural sun in the east, but a political sun in the west, as sure to diffuse its light and accomplish its purpose, as the natural sun over our heads. It commenced on the western shore of the Atlantic, to gladden those who first saw the light and to react upon the old continent. America will yet pay back, in this light, the debt she owes for all the knowledge, science and intelligence which she has received from Europe.

He spoke of the manner in which civil and constitutional law was understood in the early days of our revolution. Those early appeals to arms, he said, were not accidental—they were founded in principle, and began in the place where we are now happily met together. The place, the details, so interesting, which we had heard from the voice of eloquence, had filled him with meditation. He could not but think after generations would consider us, notwithstanding what we had done, too slow, too inanimate, too little alive to the great events of the revolution which commenced here. It was delightful to contemplate the characters of the military leaders of those days, exerting themselves, so differently from the military leaders of history, to secure the rights and liberties of the people. The effects of their noble example are felt among the nations of Europe, where not an effort, in behalf of the people is made, not a stroke is struck, without reference being made to America. Mr. Webster concluded his remarks, of which our sketch is very meagre and incomplete, with the following sentiment:—

Lexington common—In 1775, a field of blood—in all aftertimes a field of glory.

Attorney general Austin being called upon by the president, said; Suppose the reburied dead, while their bones were resting in the body of the church and amidst the multitude of the people, had revived and addressed the living assembly! The remark is not a strange one, said he: We read in sacred story of the bones of the dead reviving, and why might not these bones have again assumed life! In what language would they have addressed the assembly? If they had said one word, it would have been, that the spirit of liberty must be preserved by the people who enjoy it! Who were they, whose bones we have this day honored? Were they the eminent, the distinguished, the great? No sir, no! They were the people—individuals of the people! They had been taught and had learned the lesson, that, if they would enjoy life and liberty, they must by their own arm and strength, by their courage and the blessing of God, obtain and preserve it for themselves. Let us learn from their new made grave this important lesson, to enjoy what they have enabled us to possess. It is not enough for us to say, we had noble and brave ancestors—let it be said by our posterity, by those who come after us, sixty years hence, that they too had noble and generous ancestors. Liberty must be supported with law, and law with liberty.

The detail which we heard this day in the meeting house shows not only that the men did their duty, but that the women did theirs also; that while the men were toiling and breasting the foe in the field, there were hearts at home, bleeding and almost bursting with anxiety, and hands toiling too for their country. He gave therefore as a sentiment:

The females of Lexington—Worthy mothers of an honorable progeny.

The rev. Mr. Stetson after a very happy allusion to the last toast, offered some remarks in reference to the puritans, and quoting the words of the address gave as a sentiment,

"The last of the puritans"—Samuel Adams.

Mr. Webster made some remarks upon the opening of the revolution—the separate character of the colonial governments—the extent of country—the union and exertion which took place for the common cause of liberty, &c. and concluded by offering the following sentiment:—

The liberty and the union of the United States—May both be perpetual.

This was the last sentiment announced at the table. The guests retired, and the company separated, highly gratified with the success and happy termination of all the arrangements of the day, notwithstanding the unpropitious state of the weather in the early part of it. Great credit is justly due to the vigorous exertions of the individual members of the committee of arrangements, alike for the judicious, and liberal character of their arrangements and for the energetic manner in which they carried them into complete effect. From the peculiar character of the celebration, combining in itself the two great features of a funeral ceremony and a civic celebration, their duties were necessarily numerous, responsible and difficult. The arrangements engaged their almost undivided attention for several weeks, and they devoted themselves to it with a zeal and interest worthy of the occasion and highly to the credit of themselves and the town of Lexington. The success which in so eminent a degree crowned their labors, is to us the best proof we can have of the judicious and effective character of their arrangements, and to them the best reward for the time and toil which they have generously bestowed upon them.

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The powder horn. Among the interesting mementos of the 19th of April, 1775, to which the attention of the company assembled at Lexington on Monday last was called, was the powder horn, worn by Mr. James Hayward, of Acton, who was killed in Lexington, during the

pursuit, and which was perforated by the ball that entered Mr. Hayward's body. Mr. Everett observed, that he had been requested by the owner of this interesting relic, Mr. Stevens Hayward, of Acton, (the nephew of the person by whom it was worn on the 19th of April, '75) to exhibit it to the company, and to mention its history. Before doing so, Mr. E. asked leave to state, that the number of facts connected with the occasion they were met to celebrate, was so great that he had, in preparing his address, been somewhat embarrassed in making a selection which could be brought within the reasonable limits of such a performance. He had confined himself, of necessity, in a great degree to those facts which had an immediate connection with the village of Lexington; it being quite impossible to bring into the narrative all the transactions of that eventful day. He ought, however, in justice to himself, to observe, that he had intended to allude briefly to the incidents of the resistance made to the British troops at Concord—the bravery evinced by the citizens of that place and the neighborhood—the gallantry of Davis, Hosmer, Buttrick and others, and in a word, the honorable part borne by Concord in the transactions of the day. He had also intended to glance at the precipitate and calamitous retreat of the enemy, and the important occurrences on the line of their flight, through Lexington back to Boston. Having reached that part of his address, his strength failed him, and he was obliged abruptly to hasten to a close—which he hoped would be considered by all, who took a peculiar interest in those portions of the affecting history of that day, as a sufficient apology for the seeming neglect.

The interesting relic, which he had been requested to exhibit to the company, was worn by Mr. James Hayward, of Acton, who, on the night of the 18th, on hearing the alarm of the movement of the royal troops, started, with his father—like all the brave yeomen of the neighborhood, moving without the commands of any field officer, and driven by the impulse of individual enthusiasm to share in the conflict. Mr. Hayward joined in the hot pursuit from Concord. At the foot of Fiske's hill, in Lexington, being thirsty, he was about passing the west window of the house, still standing at the foot of the hill, toward the well in front of the house. A British soldier who was in the house, for the purpose of plunder, perceived him through the window, and stept to the door to cut him off as he passed the corner of the house. They levelled their pieces and fired at the same moment. The British soldier was killed on the spot; Mr. Hayward received the ball, which passed through his powder horn, driving the splinters before it into his body, and languished eight hours. It appeared that of a pound of powder, which he had taken with him, the whole was nearly fired away, and that but two or three of forty bullets, with which he had started, remained. This fact shews the extraordinary severity of the pursuit. Another fact manifests the high feeling of the country. Mr. Hayward died as cruel a death as man could suffer; but retaining his reason to the last, repeatedly exclaimed, "that he was happy to die in the defence of his rights."

The details were communicated to Mr. E. in a letter from Mr. Stevens Hayward, the nephew of the sufferer; and who was led to make the communication at the suggestion of the rev. J. T. Woodbury, of Acton. Like other traditions of the day, they shew how widely and unanimously the country was moved, and pointedly indicate the sentiment, with which Mr. E. begged leave to conclude:

Lexington, Concord and the neighboring towns; may the common sufferings and efforts of 1775, prove a common bond of harmony and good feeling at the present day.

FRUITS OF THE TRADES' UNION.

From the N. Y. American of April 30.

Yesterday at the city hotel, a public sale of imported French furniture was advertised. A numerous company assembled, and active competition was going on, when it was discovered that many of the handsomest articles were cut, scratched or otherwise damaged. Rich tapestry sofa and chair covers were cut with knives in every direction—highly varnished and carefully finished bureaus, were scratched and mutilated; and it was at once evident, that this outrageous destruction of private property was deliberate and systematic. Investigation immediately pointed out the perpetrators in a number of journeymen cabinet makers and apprentices, who having recently struck for wages, were determined that no furniture from abroad should be sold in New York. This determination they openly avowed, and even questioned—in a tongue not of this land—for they were for the most part foreigners, and many of them Germans—the *right* of American citizens to import furniture from abroad. Such articles as themselves, they see no difficulty about our importing, but articles of taste or fancy, they were quite sure, it was not lawful for us to procure elsewhere than at home.

Happily, these lawless reasoners about American rights, were arrested and carried to the police office, and there will, we trust, be found no difficulty, on political or other grounds, in causing them to be adequately punished. It is not, however, without regret, that we learn this morning, that some master cabinet makers, have openly justified the proceedings of these deluded workmen, and even threatened, that foreign cabinet ware and furniture, should not be imported. Things are really coming to a pretty pass, when men are to be told how and where they shall spend their money; what they may and what they may not import; and that, by reason of combinations among interested parties, the right of choosing articles of luxury, or convenience, is only to be exercised at the risk of injury to one's person or property.

We have spoken of these proceedings as the fruits of the "Trades' Union"—and such seems to us its undoubted character. The whole scope and aim of that union, so far as we understand them, are, to enable workmen, by combination among themselves in any particular branch, and by sympathy and succor from those engaged in other mechanical pursuits, to dictate the rate of wages to employers. While this is done, or attempted, without violence or intimidation, it is merely an impolitic experiment, by which those who make it are always in the end the sufferers. But the step from combining to threatening is so short, that the one almost always leads to the other, and the mass once heated, ceases to reason, and soon makes war alike upon the quiet and more discerning of their own class, who refuse to join in their unlawful proceedings—upon the employers who will not yield to their dictation—and upon the unconscious fabrics which they look upon as interfering with their pretensions.

The "Trades Union," founded upon anti-commercial and anti-social principles, made such a man as *Ely Moore*, a representative in congress from this great commercial city—can we be surprised after that, at the scene of yesterday at the city hotel?

☞The preceding details are abominable, and we hope that the persons arrested, if guilty, may be signally and severely punished.

The chief part engaged in this business, no doubt, are "*down with the tariff men*"—the "*friends of free trade;*" persons who hate all "MONOPOLIES"—*except their own!*

We have labored to induce the people to seek the *encouragement* of their industry—to have it *excited;* in a full belief that the domestic competition would, after a reasonable time, by the aid of improved machinery, &c. prevent "extortion." But the duty on *cabinet wares* is high—30 per cent. less the first reduction by the "bill of compromise," and, in their manufacture, *we are secure.* The French furniture, if sold without a loss, must have sold for the *fashion* of it. It is beneficial to manufacturers that the fashions should frequently change; and those articles, perhaps and most probably, would have introduced a large quantity of *new work.* Our cabinet makers are excelled by none. At the fairs of the "American Institute," at New York, we have seen as good work as it is *possible* to perform—as rich and beautiful. We have a supply of *woods* for all such purposes—or, may obtain them as cheap as the French or the English.

The foreigners engaged in this affair must be taught a lesson. The "liberty" of this land gives no one a right to injure the person or property of another, or otherwise to interfere with the business of others.

As to the "Trades Union," at New York—(whether they have any connection with this matter or not—but we

cannot believe that there is any), they are made up of *contradictions*, and are, altogether, a queer set, *as managed by political demagogues*. They oppose all "MONOPOLIES"—yet, *in their very opposition, make them for their own use!* They "begin at the beginning"—and, in some instances, prescribe what number of apprentices an employer may take; and will not work for him—if he refuses to abide by *their* rule! THEY CANNOT ERR!

There are *extremes*, however, in almost every thing. We as much disapproved of the plan of Mr. *Green*, editor of the U. S. Telegraph, (who would have turned out a regiment of printers)—as that of the journeymen bakers (we believe), at New York, who combined to allow the masters to take, and to keep, only *one* apprentice at a time, and he for *seven* years! The former would have made an *overflow*—the latter have brought about *annihilation*. Each equally aimed at a "*monopoly*"—in favor of themselves.

There is a "*Trades Union*" in Baltimore. We believe that it has no sort of connection with *political* demagogues, "using them up" to subserve their own *monopolizing* purposes, for the time being—and, so far as we know any thing about them, they have avoided extremes. We are satisfied with the rate of wages that they have proposed—and were the first who signed them on behalf of the master printers. Every body has a right to live—but they are equally bound to extend the same right to others; and we hope that they will avoid a *monopoly* as carefully as they would resist one! If so—all things will go on peaceably. The employers and the employed are equally necessary to one another; and, while the former should give fair wages, the other ought to render faithful services for them.

NEW YORK POLICE OFFICE, MAY 1.

Effects of moving. The police office was a scene of unusual commotion, turmoil and dispute, during the greater part of yesterday. Assaults and batteries and breaches of the peace, seemed to be the order of the day; almost all of which arose from the multifarious movements, consequent upon the general change of domicile. Amongst other complaints was one made in the afternoon by a carman who seemed completely at his wits' end how to get out of his dilemma, without coming within the meshes of the law. He had been employed by a woman to carry a load of furniture from Mulberry street to Anthony street, and accordingly placed it on his cart and went off with it to where he was directed to leave it, unaccompanied by any person on the part of the owner. On arriving at the house in Anthony street, the inmates positively refused to allow the furniture to be brought in; saying that the person who sent it there had no right to do so. The carman then carried back the furniture to the house he took it from in Mulberry street, but in the interim a new set of tenants had taken possession of that house, and refused to let the furniture be brought in again. As the carman did not know where to find the woman who employed him, he was altogether at a loss how to act, and whilst he was thinking what he should do, a woman whom he had never seen before, came up to his cart, laid claim to the furniture, and insisted on taking possession of it; and in order to show that she was in earnest, she mounted on the top of the load, sat down upon it, and refused to leave it for any threat or expostulation the carman could use to her.

This latter occurrence so increased the poor carman's dilemma, that he did not know what to do. If he dumped the load, he must dump the lady along with it; and if he pulled her off from it, she might prosecute him for an assault and battery. Under all the circumstances he thought it most prudent to bring the lady and load to the police office, and submit the matter to the magistrate. He accordingly did so, and told the story of his difficulty with so comical an expression of vexation, as to cause no little merriment. Whilst he remained in the office, the lady still kept possession of her seat on the furniture, and as the carman found that the magistrate could not give him any assistance towards ejecting her, or putting him in the way of finding out the person who employed him, he determined, at all hazards, to get rid of the concern, and left the office with the intention of carrying the lady and load back to Mulberry street, and there dumping them in the middle of the street.

THE GERMAN DIET.

From the London Times, we extract the following resolutions, adopted by the Germanic diet in its sittings of the 15th January, whereby the faculty of locomotion, hitherto enjoyed by journeymen mechanics, is to be restricted to countries only where no public societies by which "public tranquillity" might be threatened, are tolerated. These resolutions were probably suggested by the mighty scandal afforded in Switzerland about three months ago of a public meeting, held by a few German mechanics, who dined together and drank toasts which were deemed by M. Bombelles, the Austrian ambassador, to be highly offensive to his court.

"As it is for the interest of the German confederation that the German journeymen mechanics shall take no part in any assemblies or societies by which public tranquillity might be threatened either at home or abroad, it is resolved—

"1. That the travelling of journeymen mechanics belonging to the states of the Germanic confederation, to those states in which such assemblies and associations are known to be tolerated, is prohibited so long as such toleration notoriously exists.

"2. With respect to the recall of the journeymen mechanics who are at present in countries where such associations and assemblies are tolerated, and the superintendence of them on their return to their homes, measures suitable to the circumstances will be adopted by the several governments.

"3. The police will exercise a vigilant superintendence over the journeymen mechanics travelling in Germany, especially with respect to the associations into which they may enter.

"4. The governments of the confederation will keep themselves constantly informed by their ministers in the diet, to what countries and places the travelling of journeymen mechanics is prohibited on account of such associations and assemblies notoriously tolerated in them."

The above is styled, in a Frankfort paper, a protocol. Its perusal will at least serve to remind us of the inestimable blessing of free government, which we enjoy.

ORNAMENTAL TREES.

From the Silk Culturist.

Every farmer of taste and judgment borders his front yard, garden and avenues with ornamental shade trees; and it is of importance that he select such as combine beauty with usefulness. Forty years ago the lombardy poplar, was introduced into the country, and it was, for a time, supposed to be indispensable to the beauty and pleasantness of a farm house. In some places, streets for miles in length, were lined with this worse than useless tree. Their growth was rapid, and their form handsome; but it was soon discovered that they were not only worthless for timber or fuel, but infested with an insect of the most poisonous nature. These discoveries soon caused their destruction, and now there are but comparatively few left standing. Had farmers set out the white mulberry, instead of the poplar, they would have, by this time, added to the value of their farms from $5 to $10 a piece, without taking into the account the value of the silk that might have been made from them. But experience is said to be the best school master, and it is to be hoped that farmers will hereafter plant their grounds with trees which are both ornamental and useful. Such are several species of the mulberry, and especially the Chinese or morus multicaulis.

Soil for the mulberry. The inquiry is frequently made respecting the nature of the soil best adapted to the growth of the mulberry, and the climate most favorable to the health, industry and product of the silk worm. An answer to the first topic of inquiry is all that need be said on the subject, for it is a well established fact that all climates were the food may be cultivated, the animal created by nature to live upon it will be in its full vigor. With respect to the soil best adapted to the production of the food it may be laid down as a general rule, that all soils adapted to the culture of Indian corn are adapted to the culture of the mulberry. In the south of France, Piedmont and Italy, where the culture of silk has arrived to great perfection, Indian corn grows luxuriantly, and is the principal article of bread stuff among all classes of the community.

It is also a fact that the white mulberry will grow well on light loamy and sandy land, and that its foliage is superior in quality to that which is produced in deeper and moister soils. This fact is important to farmers, as it will enable them to derive a profit from lands which have not been considered worth cultivating. We have seen mulberry trees to the height of thirty and forty feet, growing on steep and sandy declivities, and covered with an exuberance of foliage, where ten bushels of corn upon an acre would be considered a large crop. Low and wet lands are uncongenial to the mulberry. In all other soils and locations they may be successfully cultivated.

Locust trees. The Massachusetts society for promoting agriculture, have awarded to Mr. William Clark, jr. of Northampton, a premium of $20 for a plantation of locust trees. The timber of locust is invaluable on account of its durability. It is sought for by ship builders, and the government price for it has been as high as seventy-five cents a cubic foot. Locust posts set in the ground have been known to last upwards of half a century. Though the rapid growth of this tree, and its great value, renders it a prime object of cultivation, yet the mulberry will be found altogether more profitable. Its growth is as rapid—its timber is as valuable, and, in addition to both, its foliage will yield a large annual profit in raising silk worms. We are credibly informed, that mulberry posts of the ordinary length and size for fences have been sold in New Haven for $3 a piece. Every farmer may double the value of his farm in ten years, by cultivating the white mulberry tree, for the sole purpose of timber and fuel.

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By the following it appears that the grand obstacle which has heretofore been in the way—the want of a market for cocoons—is now removed. The factories already in operation furnish a sure and certain market; and new ones will be established faster than the raw material can be produced.

Demand for cocoons. Judging from appearances, the demand for cocoons and reeled silk the coming season, will ex-

ceed the supply in a thousand fold. The silk manufactories in Dedham, Mansfield and this city, are depending principally on the new crop for the raw material. The last year's crop is already exhausted, and we understand that scarcely a bale of silk can be found in the commercial cities. Those, therefore, who raise a crop the present season, may depend on its being sought for by the manufactures, and at a very liberal price.

FRENCH AND ENGLISH MANUFACTURES.

A curious inquiry is going on in France respecting the evils and advantages of free trade. The witnesses are those more immediately concerned, and their evidence is interesting, from the facts it discloses touching the comparative value of French and English manufactures, and the markets and resources of those who fabricate them. Mr. Denevrause, the celebrated shawl manufacturer of Paris, says:

"Our manufacture is greatly superior to the English, and we have only to fear India shawls under 1,000f. against which the duty of 20 per cent. does not protect us. Besides, they are smuggled in at a premium of 10 per cent. I make shawls from 100f. to 800f. The manufacture of shawls of the hair of the Thibet goat in France amounts to five or six millions a year. Within two years the price has fallen twenty-five per cent. spinning having made great progress. The material comes to us by Moscow. English shawls does not compete with us; they are even worse than those of Nismes. We export about one-sixth of our productions to England, Germany and Russia. Our exports went well last year, but are less this. India shawls are in demand, rather through fancy than for their quality. A shawl under 1,000f. is coarse and full of seams, much inferior to what we sell for 400 to 500f. but there are ladies who prefer having a shawl on their shoulders made of pieces sewn together to a French shawl, because they show that they wear something costly."

M. Chauviteau, a woollen draper in Paris, says:

"I export woollen cloths and all kinds of articles. I send clothes to the United States, Mexico, Buenos Ayres and the South Sea. At the United States we have to compete with English cloths. We can contend with the English for fine goods, but not for coarse. In foreign and light cloths we have to compete with Belgium. In Mexico the English are more favored. We cannot struggle with them in Mexico, Havana or Brazil, where they send a cloth, good looking, but which does not wear well. This cloth suits the habits of the countries; for coats, after being worn two or three months, are given to the servants. The English have a great advantage over us in the cost of materials of coarse cloths, and in the cheapness of their freight. Our exports to the United States and the South Seas are augmenting considerably, but to hot countries, such as Havana and Rio Janeiro, they are diminishing. In articles where taste and labor form the principal value, we can compete with the English, but not in those where the raw materials are the principal part of the cost. At Rio Janeiro, during three years, the English sold their goods at a loss of 25 or 30 per cent. but having once got a good footing, they raised their prices gradually, and now sell at a good profit. The English have more extensive means than we to support their trade abroad. Cotton enters into the English make in some manufactories, particularly on the borders of Scotland; but we could not deteriorate our manufacture to this point, especially as three-fourths of our production are destined for home consumption."

Those who are sensitively alive on the point of French competition, may be consoled by the evidence of M. Mimerel, a cotton spinner and manufacturer, delegated by the chamber of commerce of Lille, Roubaix and Turcoing. He says:

"The principal cause of cotton manufactures in France being so much dearer than in England, is the bad state of our roads, and the scantiness of our means of communication. The transport of cotton from Havre to Lille occupies twelve days; now the interest upon the capital during these twelve days is, probably, as much as it costs the Manchester manufacturer for the transport of his cotton from Liverpool. I compute that the raw material comes to the English manufacturer 11 per cent. less than to the French; his iron and coal 8 per cent. less; and his duties 9 per cent. less. Here, then, is a difference of 28 per cent. without speaking of labor; for the English workman, being more experienced than a French one, does more and better; without speaking of a manufactory of 500,000f. in England producing double what one does in France; and without speaking of the quality. The English being more expert than we are, get a twist from cotton wool of 2f. 4 sous, and as good as we do from one of 2f. 8 sous.

"With us the custom laws are always being called in question; so that apprehensive of seeing a spindle that cost 40 francs reduced in our hands to a value of 20 francs, we abstain from establishing new machines, and have our old ones repaired; whereas, the English break up their old ones, and replace them by more perfect ones. The bad state of our roads and communications is the cause of the dearness of our raw cotton, iron and coal—also of the high interest of capital, for, if so much of our capital was not swallowed up by transport and road charges, it would be more abundant, and consequently obtainable at a lower rate of interest. Having shown, therefore, that we cannot manufacture under twenty-eight per cent. more than the English, and that it is principally owing to our roads, it is clear that we shall not be able to approach the English till we have more easy and economical communications. I consider that there is also a difference of 28 per cent. between the selling prices in England and those in France; cotton wool that costs 2f. at Liverpool, costs 2f. 8 sous at Havre. Half this difference I attribute to the English being more clever in buying, and half to the dearness of navigation in France. It would be better for the French manufacturers to buy at Liverpool than at Havre, and they did so before the treaty of 1826. This treaty was a favor for Havre, and a surcharge upon the manufacturer."

[We have oftentimes closely allied *internal improvements* with *manufactures*—for the reason that they reduce the cost of raw materials in the charges paid for transportation. They are now going on rapidly—wonderfully; and, as the amount of duty becomes less, the facilities will become greater; and so, generally tend to keep up the amount of profits—especially of very heavy articles, or those in which most fuel is used. *Ed. Reg.*]

CONDITION OF THE CHEROKEES.

A most atrocious outrage was lately committed in Georgia. It will be recollected that certain of the Indian lands in that state were a short time since divided into lots and disposed of by the state by lottery. By a law of the last legislature of Georgia, possession is obtained of the lots by the drawers, or persons to whom they assign their right, through agents appointed by the governor of the state. A man named Spencer Riley, whose veracity is vouched for by the "Milledgeville Times" and "Augusta Chronicle," was boarding with a Cherokee named Vann, who lived in a good brick house on a lot in Murray county. On the 23d of February last Mrs. Vann, in the absence of her husband, received a written notice to quit the possession of the lot, from one William N. Bishop, an agent of the state appointed under the new law. This notice was given without any request from the drawer of the lot or any person holding or claiming under him. On the 2d of March, Bishop, as agent acting under color of the state's authority, summoned about twenty men, armed them with muskets, and went at their head to Vann's house. After some conversation before the house between Vann and Riley on the one side, and Bishop on the other, as to the legality of the proceeding, Bishop rushed into it at the head of his guard, asking "where is that d——d rascal Riley." Riley occupied a room on the second floor, towards which he retreated when they came in, and called out from the head of the stairs, that "there was no need of bloodshed, for if Bishop would acknowledge that he had taken forcible possession of him, he might throw his things out of the window." Upon this Bishop cried out "hear that rascal; present arms and march up stairs, and the first man who gets a glimpse of him shoot him down." The men advanced up the steps, and some of them fired without effect. Riley returned the fire: a dozen of them then fired up at him without touching him, he being protected by the staircase. He put out the barrel of his gun to deter their nearer approach. One of the men fired, and the ball, splitting the gun, wounded Riley severely in the head with a splinter. He called out,—"Bear witness who shot that rifle, for I have been severely wounded." Bishop answered tauntingly,—"The state of Georgia fired that gun." Riley called to them that they might come and take his arms; and as soon as he showed himself several muskets were fired at him, wounding him in various places. During this outrage, Bishop frequently exclaimed, "kill the d——d rascal, we have no use for nullifiers in this county." Riley got to his bed and lay down: the party of lawless ruffians went into his room, and after taking his papers and desk containing $110, they carried him down, and without dressing his wounds, transported him forty-five miles through a snow storm and lodged him in the dungeon of the jail in Cassville.

Such is a brief account of this monstrous transaction. The "Times" and "Chronicle" attribute it to the act of the last assembly, an act "which prostrated the judiciary in the Cherokee circuit at the foot of the governor's creatures, and which has already brought so much disgrace upon the state."

[*Balt. American.*

THE PENITENTIARY SYSTEM.

The report of William Crawford, esq. the commissioner sent by the late ministry to the United States, to inquire into the working of the penitentiary system in that country, has just been distributed. Mr. Crawford is of opinion that the extraordinary demand for labor in the United States and the ample means which their unappropriated territory affords of providing for their increasing population, in a great measure account for whatever degree of success has attended their penitentiary system. "It is (says Mr. C.) the privilege of America not only to derive from Europe institutions, the value of which experience has confirmed, but to be enabled, by the means to which I advert, to carry out the principles on which they are founded to an unlimited extent, engraft amendments, and exhibit their results with great effect. Hence the powerful influence of solitary confinement, which originated at Gloucester, and has subsequently been enforced at Glasgow, is strikingly displayed at the eastern penitentiary in Philadelphia. The Auburn and Sing prisons as forcibly exemplify whatever benefits result from the system which has been pursued at the Maison de Force at Ghent; while at Wethersfield, and also in some measure at Charleston; that system is seen under such favorable modifications as to divest it of its most objectionable features." But the general character given by him of the prisons is unfavorable. "With the exception, however, of their penitentiaries, there is nothing valuable in the discipline of the

prisons in America. Defective as is the condition of the gaols in England, they are superior to those of the United States, especially in the observance of order, the space alloted to the untried, the correction of minor offenders, the treatment of females, and the administration of moral and religious instruction."

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The report of Messrs. Mondelet and Neilson, the commissioners appointed to examine the penitentiary system of the United States during the last year, was lately presented to the parliament of Lower Canada. The Boston Daily Advertiser informs us that of the two penitentiary systems in use among us, which are distinguished by the commissioners by the name of the Auburn and Philadelphia systems, they express their preference for the latter. This system combines the seclusion of the convict, with solitary labor in his cell. The following passages from the report will be read with interest:

"The commissioners think it their duty particularly to notice the house of refuge at New York, and others on the same plan at Philadelphia and Boston. Youth who are in the career of crime, and likely to become adepts, are stopt at the outset, and turned to the paths of peace, honesty and happiness. The most benevolent and intelligent persons in the United States are of opinion, that with the houses of refuge, which are in fact conducted on the penitentiary system, and separate detention *in all cases*, both before and after trial, were resorted to, an effectual check would speedily be put to crime, and the community enjoy a degree of security far greater than exists or can be expected at present even with the improvements on the penitentiary system. The county goals are in fact schools for subjects for the penitentiaries.

"The commissioners have visited personally thousands of their fellow men deprived of liberty, tainted in character, and degraded to the lowest rank of servitude, working without wages, under the immediate presence of personal coercion; if any relief could be afforded to this afflicting spectacle, it was derived from the intelligence and humanity of the keepers—the cleanliness and comfort of the building and cells—the order and regularity of the management—the perfection of the convicts in various trades, and the excellence and usefulness of the articles produced, but particularly by the hope that some, at least, of the miserable beings so reduced, might be restored to the rank of freemen, and become virtuous and useful members of the community whose laws they have violated, and whose welfare they had disregarded.

"The commissioners cannot close this report without rendering a tribute, which is justly due to the authorities of the different states to whom they had occasion to apply during their visit. In every instance, the views of the commissioners were not only readily forwarded, but even their desires were anticipated with an attention and active exertion equally honorable to these authorities and the American people. Assistance in accomplishing the objects of their mission was, indeed, not confined to persons in authority; it was sufficient for individuals to become acquainted with the objects of the commissioners, to ensure the offer of their services and actual sacrifices of time and trouble for that purpose.

"So much public spirit for extending information regarding the penitentiary system, is a strong proof of the estimation in which it is held among intelligent men, whose benevolence is confined to no narrow circle but embraces the whole human family.

"The commissioners think it their duty particularly to remark the respectable standing, character and acquirements, which they found generally prevailing among the persons intrusted with the governments of the state prisons. The extension of education in the United States, gives them peculiar advantages in this respect, and enables them to acquire the services of such characters for a very moderate compensation. Some of the superintendents have indeed devoted their lives to forwarding the system, more from a principle of benevolence than from a consideration of the compensation allowed, and much of its success in the United States, is due to the superior abilities and personal fitness of the managers, without which it could hardly have had a fair trial."

COL. BENTON—AT LOUISVILLE.

Thomas H. Benton passed through Louisville, Ky. on the 8th ult. During his brief stay in that city he was invited to partake of a public dinner, which he respectfully declined. By the letter of the committee appointed for the purpose of corresponding with him on the subject, he addressed the following answer:

Union hotel, Louisville, April 3, 1835.

GENTLEMEN: I have just had the gratification to receive your most flattering invitation to accept a public dinner at this place, and have to express my regret that it is not in my power to accept this mark of respect which is so kindly offered to me, and which is so grateful to my feelings. The honor which is intended for *me*, is accomplished by the invitation, and the pleasure of making the personal acquaintance of many of our friends here will not be entirely lost, as I shall cheerfully avail myself of my brief stay in this city to see and become acquainted with as many as my time and opportunity will permit.

If I am not mistaken, gentlemen, it was in this city that the second public movement in favor of general Jackson for the presidency, was made; it was here, I believe, that the Pennsylvania movement was seconded. This is a distinction of which your city may be proud; for never has a public man more nobly fulfilled, or more greatly transcended the expectations of his friends, than president Jackson has done, during the six doubtful and trying years that he has been at the head of our public affairs. My official situation has enabled me to take a near and close view of his conduct during this period, of the difficulties by which he was surrounded, and of the dangers which beset the country; and I do not believe that the annals of any age or of any country, have exhibited a greater example of patriotism, or of wisdom and firmness, than he has displayed, and which it will be the duty of faithful and impartial history to describe, and to communicate to the last posterity. I cannot here touch the numerous topics to which I allude, but I will not pass by the one which you mention, that of the "*panic scene of* 1834." Odious, revolting and execrable as that parracidal plot now presents itself to the eyes of all America, it is not yet seen or known to the people in one-half of the enormity which belongs to it, and which, it is hoped, will yet be revealed and exposed to public indignation. The senatorial condemnation of the president, which part and parcel of the "*panic scene*"—will also yet occupy the attention of the American people; and the only atonement which can be made to the patriot president for the lawless injustice then done him, will yet be rendered to him, I trust, by *expunging* from the journals of the senate, the unjust, untrue, illegal and unconstitutional sentence which has been recorded against him. I say *expunging*; for after the calmest and most dispassionate review of the whole subject, I remain firmly convinced that *expunging* is not only the parliamentary remedy in this case, but that it is the *only* one which is appropriate to the occasion. That my own support of president Jackson in these trying circumstances has been *ardent*, has resulted from the conscientious belief that he was acting for his country, and for his country alone, in all that he has done; and flatter myself that the time is coming fast round when this will be the general sentiment of the American people, and when tens of thousands of good citizens, who have been deceived and deluded by the publications and speeches against him, will see their error, and join in the applause and gratitude which is due to him.

I will also take this occasion to say publicly, what I have said privately to my friends, within the last few months, that the bank of the United States is not dead! nor has it any idea of dying! That, on the contrary, *it is now acting a more efficient and a more dangerous part in our politics than it has ever acted heretofore, because it is now acting secretly and silently, and has thrown people off their guard.* To bring the next presidential election into the house of representatives, and to beat down the man whom it is known will not, if elected, ever sign a national bank charter, is now the fixed policy of that institution, and to accomplish that policy, the entire power of the bank is now exerted with an energy and determination never surpassed, and so much the more dangerous, as it has ceased to carry on its designs openly and publicly. With great respect, gentlemen, I have the honor to be, yours truly and respectfully,

THOMAS H. BENTON.

Messrs. Wm. Merriwether, Wm. Pope, jr. Samuel C. Churchill, A. L. Campbell, Worden Pope, Charles P. Harrison and others.

GOV. WHITE'S VETO.

From the New Orleans Bee.

We publish below gov. *White's* reason for vetoing that part of the revenue bill which imposes a tax on all persons coming from beyond the limits of the state. His arguments are forcible, and must carry conviction to the minds of all, of the unconstitutionality of such an enactment, and the evil consequences that would have grown out of such a law. All classes of our fellow citizens speak in high terms of the decision and independence with which gov. White has acted.

New Orleans, 2d April, 1835.

To the house of representatives:

I have examined with all the attention the late hour of the session would allow, the bill entitled "An act to impose a hospital tax, and for other purposes;" and, from the fullest consideration I can give to the subject, I find myself constrained to send the bill back to the house in which it originated.

It proposes to levy on any steamboat, vessel, or water craft, arriving at the port of New Orleans, or its vicinity, or any other place beyond the limits of the state, a tax of one dollar for every cabin passenger, and fifty cents for every deck or steerage passenger. A tax of one dollar or fifty cents for every passenger arriving from beyond our limits! But as the federal constitution guarantees to the citizens of each state the privileges and immunities of citizens of the several states, how can we impose such discriminating burdens on those who choose to come among us?

Another, and perhaps the most palpable objection to it on constitutional grounds is, that, in effect, it is a regulation of commerce, whereas the right to regulate commerce with foreign nations, and among the several states, is one of the distinctive attributes of congress; see art. 1, sec. 8. The term commerce, as used in the constitution, comprehends intercourse and navigation, as well as trade. In vain would the states in their several capacities be inhibited from regulating commerce, if it were left optional with them to regulate as they pleased the persons engaged in commerce.

By the constitution, no state can, without the consent of congress, lay any imposts or duties, other than for executing its

inspection laws, or any duty of tonnage. It evidently intends that the intercourse between the different states should be free and untrammelled by local regulations. Now, if it were left to any individual state, at its pleasure, to clog this intercourse by a tax of one dollar a head on all persons arriving from without, it would be equally free to push the principle much farther, even to a total prohibition of all intercourse whatever.

The measure seems to be scarcely less objectionable on the score of policy. It is from persons arriving beyond our limits, for purposes of commerce, that our city derives, in great part, its growing wealth and prosperity. They bring with them the property and the industry which, ranging themselves within the influence of our system, become the proper and legitimate objects of taxation. Such a law as this would tend to avert these rich streams, by turning them aside into other and more unobstructed channels. While the dollar might be deemed as nothing, the principle of its exaction would probably be opposed to the utmost. The feature could scarcely fail to be odious in the extreme to the citizens of other states in the habit of resorting to this. They might be led to the adoption of retaliatory regulations upon us, until the contest might terminate in serious animosity and alienation of feeling.

There would likewise seem to be a fatal argument against the bill, deducible from our own state constitution. The bill contemplates the imposition of certain fines for non-compliance with its provisions. These fines it is left to the treasurer, in certain cases, to omit: whereas, the eleventh section of the third article of our constitution requires that fines and forfeitures should be remitted by the governor, with the approbation of the senate.

For these reasons I am compelled to withhold my assent to the bill. E. D. WHITE.

THE PUBLIC LANDS.

From the New York American.

The Globe calls the bill—which Mr. Calhoun recommends as the best alternative under the existing state of things—for providing, by an amendment to the constitution, for the distribution among the states, until 1843, of the surplus revenue among the states, a "bribery bill."

This same suggestion, without the same cogent reasons in its favor, has been made more than once by the president, by the governor of this state, and by the legislature of New York, and that of Pennsylvania.

Hear the president, in his message of December, 1830. After adverting to the fact that a surplus revenue might be anticipated, he said, as we find him quoted by the "Telegraph:"

"Thus viewing the subject, I have heretofore felt it my duty to recommend the adoption of some plan for the distribution of the surplus funds which may at any time remain in the treasury after the national debt shall have been paid, among the states, in proportion to the number of their representatives, to be applied by them to objects of internal improvements."

He then proceeds to say: "Although this plan has met with favor in some portions of the union, it has also elicited objections, which merit deliberate consideration," and adds, "whatever the proper authority, in the exercise of its constitutional powers, shall at any time hereafter decide to be for THE GENERAL GOOD, will, in that, as in other respects, deserve and receive the acquiescence and support of THE WHOLE "COUNTRY."

Governor Throop once and again made the same suggestion, founding himself on the president's recommendation, and on the intrinsic justice, expediency and advantages of such a distribution. After recalling to the legislature in his message of January, 1831, that he had before recommended the propriety of taking measures *to procure a distribution of the surplus revenue of the United States;* that a similar recommendation had been made by one of his predecessors, *De Witt Clinton*, and stating that the revenue would certainly exceed the wants of the general government—he adds:

"There is, therefore, abundant reason to believe that a portion of the revenue from customs, without inconvenience, can be PERMANENTLY *appropriated, and restored to the several states in such manner as not to interfere with the necessary paramount control over the collection by the national authority!*

"*It is, adds governor Throop, without doubt, the most just and economical mode of collecting taxes.*"

Here the governor goes beyond the president. He not only wants a portion of the surplus of the federal government—but he wants it in a fixed and certain sum or shape, and not contingent at all! He is for having a good round sum at any rate, thus reasons both in favor of such an assured supply, and of the ratio of population as the true one by which to measure that supply.

"It is, at least, questionable whether there are not sound objections to a mere distribution of the surplus revenue. Among these may be reckoned the uncertainty of the amount, which changes in the tariff rates may occasion; *and the withholding of dividends entirely, in cases of national emergencies demanding extraordinary expenditures.* The contingent nature of the supply might prevent the states from engaging in enterprizes of magnitude, or produce embarrassments should they be undertaken. This might be remedied by providing *that a fixed* sum shall be annually distributed.

"Population is obviously the true basis for distribution, inasmuch as the money would by that rule return to those who contributed it. Our state contains more than a seventh of the population of the union, and our proportion of the *seven millions* would be an annual quota of *one million.* But if *three millions five hundred thousand* dollars only should be distributed, our proportion would be the interest at 5 per cent. of ten millions of dollars, and would support our credit for internal improvements to a large amount. This sum would be an indirect tax of twenty five cents upon each individual in the state, paid by those who consume foreign productions."

The legislature followed up these views of the governor's, fortified by so many reasons, and by the paramount authority of the president's recommendation, and on the 10th of March, the house of assembly adopted the following resolution *unanimously:*

LEGISLATURE OF NEW YORK.

In assembly—March 10, 1831.

Resolved, (if the senate concur herein), That the surplus revenues of the United States, beyond what shall be deemed by congress necessary for the expenses of the general government, and a proper provision for public defence and safety, ought to be annually distributed among the several states according to their population, to be estimated in the manner pointed out by the second section of the first article of the constitution for the appointment of representatives and direct taxes.

Resolved, (if the senate concur herein), That his excellency, the governor of this state, be desired to transmit a copy of the foregoing resolution to the executives of the different states, to be laid before their respective legislatures, with a request that they will take the same into consideration, and transmit the result of their proceedings to this and the other states, and also to the president of the United States, to be laid before congress.

The speaker put the question whether the house would agree to the said resolutions, and it was unanimously determined in the affirmative.

This resolution was referred in the senate, and on the 4th of April Mr. *Beaton* (of the N.Y. senate) made a long report in favor of the resolution.

The tenor of the argument in this report may be adjudged of by the annexed extracts:

"It is not suggested in the executive message of the present year that an amendment of the constitution of the United States is necessary in order to vest in congress the power of making a distribution of the surplus funds which may at any time remain in the treasury; but in the communication of last year the governor observed that if constitutional obstacles exist against the measure, they may be removed by constitutional means."

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"The executive recommendation, and the resolutions referred to the committee, present the abstract question of expediency. No constitutional difficulties are suggested, and none certainly occur to the committee why the legislature should not make an expression of its opinion in the manner proposed.

"When the question is distinctly presented to the consideration of congress upon a call of a majority of the states and a majority of the people, should that body under such circumstances determine there is no constitutional power vested in them to make the proposed distribution *an amendment would remove all difficulties.* Why, then, should we not improve the time intervening between this and the period when the national debt shall have been wholly extinguished, to present this all important subject to the sober consideration of our constituents."

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Can we now indulge in a well grounded and reasonable hope of effecting an amendment which will restrain the action, or abrogate the power? Let us look for a moment to the actual condition and situation of the states. We know that the spirit of eighteen of the twenty-four will be necessary to accomplish the object. *Let us enumerate the states which have been, and still hope to be, benefitted by a continuance of the above mode of disposing of the common property, and also those which complain of being injuriously affected by the protective policy, and we must for the present pronounce the project utterly hopeless.*" This concession should not, in the opinion of the committee, deter the legislature from giving expression of an opinion which, in all probability, will at some future day, lead to beneficial results, and exercise an influence tending to produce benign and happy consequences."

LEGISLATURE OF PENNSYLVANIA.

April 2d, 1831.

Resolved, As the sense of the senate and house of representatives, that as soon as the national debt shall be paid, the most equitable and just mode of disposing of the surplus funds which may remain in the treasury of the United States after defraying the ordinary expenses of the government, and the payment of appropriations which may be made to objects of great national importance, *will be by a distribution amongst the several states in proportion to their representation in the congress of the United Sates;* and that the executive veto was properly exercised on the bill making an appropriation to the Maysville and Lexington road.

From the Raleigh Register.

There is no subject now agitated in this country, of more deep and enduring interest to the people, than that of the public lands. These lands, as every body knows, were wholly acquired by the blood and treasure of the old states, and an attempt is now making by the Jackson Van Buren party, to deprive the old states of all their interest in this common fund of the nation. North Carolina is deeply interested in this matter,

and the people should take care that their candidates for congress and the state legislature, have their toes square to the mark on this great question. Let there be no room for shuffling or dodging—no reservations or equivocations—let the facts be fairly laid before the people, and let their award be given through the ballot-boxes. Unless the citizens of North Carolina attend to this matter in season, they will lose their just right to a proportionable part of the national domain, to which every farmer in the state has as legitimate a claim as he has to the grain he sowed last autumn. Now is the time, the accepted time, to settle this dispute about the public lands. The question must come up at the next congress, and it must be met. Let the people see to it.

We do not know that we have seen the subject presented in a stronger point of view, than in the following extract from the circular of that independent representative, the hon. James Graham, of the mountain district.

"A question of deep and abiding importance to the people of all the states, arises now with regard to the future disposition of the public lands. The public debt is paid, and the money arising from the sales of the public lands, being upwards of four millions of dollars annually, is no longer needed in the treasury, which is now full, and running over, from duties on foreign importations. One proposition is to give the new states all the public lands within each of their limits. Another is to reduce the price of the public lands for a time, and then give the unsold lands to the new states. This proposition has the outside of a sale, but the inside of a gift: for to that it aims and comes at last. That we may understandingly decide these propositions, and all others of kindred character, let us take a brief retrospect of the ways and means by which the United States acquired title and right to the public domain. After the revolutionary war was over, and peace restored to the American states, liberty had won the glorious victory, but incurred a heavy debt in the arduous struggle. The public treasury was empty, and the resources of the country were exhausted. In this critical and embarrassing situation, North Carolina, ever true to that independence which she had proclaimed and sternly sustained, *generously ceded* all that valuable and extensive territory (now the state of Tennessee) to the general government, "*as a common fund for the use and benefit of the United States.*" Virginia, and some of the other states, made similar bestowments. Georgia, at a later period, sold her wild lands to the United States for one million two hundred and fifty thousand dollars. The United States have repeatedly purchased and paid large sums of money to the different Indian tribes for extensive tracts of territory. They have likewise purchased and paid large sums of money to France for Louisiana and to Spain for Florida. The whole of the purchase money for all these public lands amounts to about fifty millions of dollars. North Carolina has always paid her full proportion. Notwithstanding you have contributed so long and so liberally, it is now proposed by a party of politicians to give away all this vast landed estate, costing us so many millions, to a few of the new states, to the exclusion of the old states; and thereby, those who have paid most receive least, and those who have paid least will get most. Against this lefthanded policy and rank inequality I decidedly protest. I cannot approve such partial legislation. No. Equality is equity; and the people of every state in the family fold of this republican union should have a child's part: share and share alike—equal distribution. I hold the proposition too clear to be controverted, the public lands are just as much the common property of us all as the public money in the common treasury.

"The new states now receive five per cent. on all the moneys arising from the sales of public lands in their boundaries, for internal improvements. They are also allowed every sixteenth section of public land, for common schools. Besides, some of the new states have received from the general government liberal and valuable donations of public lands, for education; yes, four hundred thousand acres at a gift, worth at least one million of dollars. These very liberal extra allowances, so far from satisfying them, has only animated their importunities, and increased their unjust demands. When did North Carolina receive such a boon from the general government? Never, *never!* Such appropriations and grants of public land, given to improve our public roads and educate the poor children, would raise the drooping head and gladden the heart of many a fond parent, and develop fine native talents, now growing to waste, and buried in obscurity, for the want of cultivation. So far, fellow citizens, from obtaining good gifts, we are denied the fair participation in our just and equal rights. Contributions are levied, and taxes are collected from us, to buy public land, but we are not permitted to reap the harvest we have sown, and to enjoy the fruits of our own industry; we pay money to buy land for other people, and that is the key which unlocks the secret why the old states are impoverished, while the new ones are enriched.

"The people of North Carolina, upon a fair division of the moneys proceeding from the sale of the public lands, would receive upwards of three hundred thousand dollars every year. That amount of money, judiciously applied and expended annually in making public roads, and educating the poor children, or constructing such necessary buildings as public justice might require, (thereby lessening the burthens and increasing the blessings of the people), would spread abroad in the state a redeeming spirit, and rescue us from that exhaustion and impoverishment which we too often behold in the decaying tenements and roofless houses, the deserted farms and old wastefields disfigured with deep scars. These saddening scenes admonish us there is something wrong in the policy pursued towards us; and I invoke every friend of equal rights to reflect seriously upon this great subject which is hereafter to occupy so large a share of public attention."

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From the Fayetteville Observer.

This subject is strongly, but not too strongly stated, in an extract from the circular of the honorable James Graham, member of congress from the 12th district. The great injustice which would be done to the old states, by a grant of these lands to the states within which they lie, could not be submitted to. And it is wonderful, indeed, that the people have not been aroused to a consideration of the wasteful manner in which this immensely valuable property has been squandered among the perpetual beggars within whose boundaries it lies. We believe that not a session of congress has passed for at least fifteen years, without hundreds of thousands of acres being gratuitously relinquished to some one or more states, public or private institutions, or individuals. The result is, that these new states have overflowing treasuries, internal improvement and education funds, whilst North Carolina, which actually *gave* to the United States the territory of a whole state, is wretchedly poor, without the means of prosecuting a system of education or internal improvement. These things ought not and must not be: The old states must assert and maintain their right to a participation in the benefits of the common property. The time has come when this must be done or the property relinquished; for it has already been boldly asserted that the new states are of right, entitled to these lands, and their cupidity being once awakened, there are indications of a rapidly growing party ready to support this unfounded claim. We say again, it cannot be submitted to.

Let any North Carolinian reflect what wonders might be effected for his beloved state by the possession of her share of the money arising from the sale of the public lands, and then determine whether he will allow any considerations to influence him to relinquish her right, and the ability to accomplish so much good. The proceeds of the sales of public lands last year, as reported to congress, were $3,967,682; and the share of North Carolina, if divided among the states according to federal population, would be about $210,000. The accumulation of such a sum every year, would in a few years, produce such an amount of interest as would support common schools in every neighborhood of the state, where the children of the rich and the poor might be educated without charge; or would construct rail roads on every desirable route, along which the farmer might convey his produce almost without charge, to a market.

Let the reader ask himself if he can have any hope of accomplishing these great objects by any other means? He must be aware that no legislature will ever have the daring to *tax* the people for their accomplishment; and that the people would not submit to be thus taxed. His only hope must rest on the possession of a fund thus acquired. It is important, therefore, that the people should reflect on this subject; for it will necessarily become a test question in our future elections; and no man should be supported as a representative in either the state or national legislature, who will not go for the interest of the state, even though it should conflict with the behests of a party, or the interests of an ambitious individual.

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From the Milton Gazette.

"The following is an extract from the circular letter of the honorable *James Graham*, an intelligent member of congress, from the extreme western district of this state. We entirely concur with him in most of the views therein expressed. While we do not impugn the motives nor doubt the patriotism which prompted general Jackson, when he vetoed what is commonly called 'Mr. *Clay's* land bill,' we would have been glad it could have been otherwise. None of our readers can doubt the editor's devotion to general Jackson, and the sincerity of the support given by him to most of the prominent measures of his administration; he supported him when many who now profess to be his friends were reviling him; yet as an humble member of the republican family, he must be permitted to think and act for himself, and when occasion requires, freely to express his views in relation to public measures, although in so doing, he should honestly differ from the head, as well as many eminent members of the party to which he professes to belong. The editor will, when a favorable opportunity presents itself, discuss this question publicly before his fellow citizens of Caswell, and he doubts not but that a large majority of them will agree with him in the conclusion that North Carolina, together with the rest of the old states, is justly entitled, by considerations which cannot be overlooked, to a portion of the proceeds of the sales of the public lands, now that the purposes for which they were ceded to the general government, have been fully answered. We wish to be understood in this matter as not impuning the motives, nor condemning those who differ with us on this subject. It is a subject on which citizens, equally patriotic, may honestly differ. All we ask of our fellow citizens, is to think and act for themselves, and not support or condemn a measure because certain men in whom they have great confidence, pursue a particular course. Let us be governed in our public acts, by 'principles and not men.' This is what every true republican should do, and he that acts otherwise, is unworthy of the name of a free American citizen."

MINISTER TO ENGLAND.

In senate of the United States—March 2.

The senate proceeded to the consideration of the amendments, made by the committee on finance, in the bill making appropriations for the civil and diplomatic service of the United States for the year 1835.

The amendment proposing to strike out the appropriation for a minister to Great Britain being taken up,

Mr. *Webster* said that the office of minister at a foreign court was one of the highest and most important in the gift of the executive. The nomination, then, of a foreign minister was a very grave matter; and, consequently, after he had received his outfit, it was desirable not to recall him. The office at this time, in the present state of our foreign relations, was one of great responsibility and consequence. The committee of finance could see no reason, therefore, why a minister to England should not be nominated during the present session; or, if not, why the nomination should not be postponed to the next session. It was well known, that for a considerable time past the services usually performed by a minister of the first grade, had been executed by a diplomatic officer of the lowest grade.

For one, he believed no nomination would be sent to the senate during the present session. Not since the adoption of the constitution had so long a period elapsed without there being a minister at the court of St. James, as in the present instance. What the committee proposed was to strike out the appropriation of a minister to England, for the reason that, if one were not nominated now, they saw nothing that induced them to suppose that a minister would be sent to England during the recess.

Mr. *Wright* was opposed to the amendment of the committee of finance, of which he was a member. If the appropriation for a mission to England was stricken out, there could be no nomination during the present session of congress; and in the present state of our foreign relations, he was not willing to put it out of the power of this government to send a minister to that country during the ensuing recess. He, therefore, asked for the yeas and nays. They were ordered accordingly.

Mr. *Clay* rose to express his entire concurrence in the motion to strike out the appropriation for a minister to England. It was now near two years since a diplomatic officer of the first grade was at that court; and eight or nine months had elapsed since a minister was proposed to be sent, and the nomination was rejected. The senate had been in session three months, during any one day of which time the president might have nominated a minister; but he had not chosen to do so. Then with what propriety could it be said by the honorable senator from New York, (Mr. *Wright*), that he did not wish by his action to prevent the government from sending a minister to England between this and the next session? He presumed that the honorable senator must be equally indisposed to encourage the president to send a minister to the court of St. James during the recess, against the wishes of a large portion of the community, and in violation of the constitution of the United States; and, at any rate, to be sent there without the concurrence of this body, without first ascertaining its wishes. He (Mr. *Clay*) considered it a great misfortune that we had not a minister of the highest grade in Great Britain. Independent of the usual business he would have to transact—independent of the important affair which was now before that government respecting one of the states of this union; and independent of many other matters, there was every thing indeed which called for the appointment of a minister there.

Let gentlemen reflect for a moment what was the present state of things between the United States and France. The two countries had got into such a situation that it might be necessary to resort to mediation, and that mediation was much more likely to be secured by a minister of high character and standing, well acquainted with the wishes and feelings of his country, than by the person who now represented us at the court of St. James. There could not be a doubt that Great Britain, whatever might have been her feelings with regard to the United States, was at present anxious that the existing difficulties between this country and France should be amicably settled. He would repeat that that was his sincere belief. True, she might profit by a war; but there were many inevitable sacrifices resulting from it, and events growing out of such a calamity, which did not render war at all desirable. He would then say, that there could not be a doubt that the intervention of their common friend, in the existing state of things between France and the United States, might have a very salutary and soothing effect. And precisely at this moment, when unpleasant feelings existed between our minister at the court of France and that government, was a minister of the highest grade particularly required at St. James'. The president, however, as far as the senate had reason to believe, (for no other motive could they assign or suppose) had not chosen to send in a nomination for a minister to England this session, because there was not a concurrence between him and that body at the last session on the same subject. What other reason could be assigned, or would be assigned? Was there any necessity for nominating a minister at the previous session? Why, yes, that would appear to be the case by the fact of the president nominating such a minister. Had that necessity at all diminished now? Had it not, on the contrary, much increased since that time? There could not be a doubt about it. Then, why not nominate a minister, and send the nomination to the senate. If any gentleman—any of the leaders of the administration, (and he recognised the gentleman from New York [Mr. *Wright*] in that character), or any of those senators who had taken part in that debate, knew any thing concerning this subject, he would thank them to state what it was. If any senator would get up in his place and state on his responsibility that there would be sent to the senate to-day or to-morrow the nomination of a minister to England, he (Mr. *Clay*) should then be willing to wait for it; but, without such an assurance, and without, in point of fact, such a nomination were made, he would not vote to appropriate one cent. The senate owed it to its own dignity, and that of the country, to refrain from doing so. It was due to the senate, having, as it had, an equal participation in all appointments with the president himself, to forbear making any appropriation under the existing circumstances.

Mr. *Clayton* said that this was the same question which had been brought before the senate three or four years ago, in reference to an outfit for a minister to France. He was against that appropriation, and he should vote against this. There were two funds annually appropriated under the diplomatic head, one was for secret service, and the other was a contingent fund for the expenses of such appointments as it might be necessary to make during the recess. If thirty thousand dollars was not a sufficient sum for this contingent fund, he was willing to increase it to sixty thousand dollars, but he was not disposed to vote for a specific appropriation for this outfit. He wished to leave the president to make this appointment on his own responsibility, if he chose to make it. He ought to make it on the responsibility he assumed to himself. If the president should make the appointment during the recess, under the clause in the constitution which invests him with the right, and should send the nomination to the senate, at its next session, for confirmation, he (Mr. C.) would preclude himself from making any objection to the nomination, if he now voted an outfit and salary. It was not the wish of the committee on finance to throw any obstacle in the way of the executive, but they were not disposed to anticipate his intention to send a minister to England by now making an appropriation. If it was necessary, in the estimation of senators on the other side, to make an addition to the contingent fund, because 30,000 dollars would not be sufficient, let them increase the amount to fifty thousand or one hundred thousand dollars. But, he insisted that the president should take the responsibility of sending a minister, during the recess, on himself. It was unfair to ask senators to commit themselves in advance on the propriety of sending a minister to England. He entirely concurred in the importance of having a minister to London; but the president, if he thought it important, should make the nomination now. But the president had not done this. In his judgment, therefore, it appeared that there was no necessity for the appointment of a minister during the session. But by the introduction of the clause for an outfit and salary into the bill, it seems that he thinks it may be necessary during the recess. He might, therefore, take the responsibility of the appointment during the recess, and then turn round on senators and say, you voted for an outfit and salary for a minister, and now you say there is no contingency which requires that he should be sent. He would repeat that, if the fund was not now large enough, he hoped it would be increased; but he would not vote a specific appropriation for an outfit and salary unless a nomination was made.

Mr. *Buchanan* was opposed to striking out the appropriation from the bill. The executive had his duties to perform, for which he was responsible; and the senate had their duties, for which it was equally responsible. The president had asked this appropriation for a minister to England. The only question for senators to decide was, whether they ought to make the appropriation? He did not know whether the executive intended to nominate a minister to England or not during the present session. But there might be a necessity for his doing so between this period and the session of the next congress, and he (Mr. B.) was unwilling to prevent this from being done, by declaring that the senate would make no appropriation for the salary and outfit of a minister to England. He concurred entirely, or to a very great extent, with the senator from Kentucky (Mr. *Clay*) that the time was likely to arrive when it would be indispensable that we should have a minister at St. James'. Suppose our minister to France should be recalled, under any contingency, it would then, under such a state of things, be indispensable that the United States should have a minister at the English court, for the purpose of representing us, possibly, directly on the spot, or, at least, indirectly, through the British government. He, therefore, could not understand the logic which first was presented to the senate, that it was a proposition undeniable, that the appointment of a minister was necessary, and yet that the means for carrying it into effect should be stricken out. But the executive, added Mr. B. may yet (during the session) send in a nomination. It was for us to make the appropriation, for which we were responsible to the country; and it was for the executive to make a nomination or not, as his sense of duty may prescribe. Shall we, in anticipation of the president's not doing what he ought, refuse ourselves to do our duty? Certainly not.

Mr. *Clayton* observed, that he was by no means disposed to trammel the executive, by advocating that the appropriation for a minister to England be stricken out of the bill. Did the senator suppose that it was the intention or desire of hon. gentlemen to trammel the president? If he did, let him show them how it could be done by striking out this clause. He (Mr. C.) would point him out a clause in the bill that all were willing to

pass—an appropriation of $30,000 for the contingent expenses of our foreign intercourse, for the very purpose of enabling the executive, if he chose, to send a minister abroad in the recess. And he (Mr. *Clayton*) would again say, that, if that sum was not thought large enough, he would, for one, vote to increase it. But, he desired to state, that, if the executive should think proper to send a minister abroad during the recess, he should take his salary and outfit from the fund at his disposal, and consequently become wholly responsible for making the appointment. If, for instance, then, the president should send an objectionable minister, who ought not to have been sent abroad, he might be rejected at the next meeting of congress, by those who had not been instrumental in sending him abroad. They would not have committed themselves, inasmuch as they had not voted for the necessity of sending a minister abroad. But, on the other hand, if he (Mr. C.) should vote for a specific appropriation of $9,000 salary, and $9,000 outfit, he admitted, as clearly as possible, by such a vote, that it was necessary that the executive should send a minister abroad during the recess. He was inclined to think that one should go abroad, however; but he insisted, that if one were to be appointed, the senate should have the power of saying who should be that minister. He had no idea of sanctioning the sending of a minister to England during the recess, particularly as the chief magistrate had permitted so many months to elapse without sending to the senate his nomination. Mr. C. would assert, that such an omission was a violation of the constitution, and therefore ought not to be winked at.

Mr. *Wright* could not see the propriety of the amendment. The senator from Delaware was willing to do a thing indirectly which he could not consent to do directly. It was his (Mr. W's) opinion, that if the senate increased the contingent appropriation ostensibly and avowedly for the purpose of authorising the president to send a minister to England, it was the same thing as to make an appropriation directly to carry into execution that object. He was glad to hear the honorable senator admit that there might be a necessity for this mission before congress met again. That must be apparent to every senator. He (Mr. *Wright*) could not consent to any course now which would amount to a prohibition of this mission for nine months, from any mere presumption that another branch of the government would neglect the performance of its duty. Much less would he believe that this other branch would not perform its duty, by sending in a nomination, if the appointment were now called for. He hoped that the appropriation would be made, and that the senate would not take upon itself that responsibility which must otherwise attach to it.

Mr. *Clayton* said that there was a great difference between voting to increase the contingent fund, and voting for an appropriation for a minister to England; because, in the first case, he was induced to believe there might be a greater fund required, and no expression of opinion was necessarily desired to be made on the subject. On the contrary, however, in the second case, he should have to vote in the most solemn manner, in favor of sending a minister abroad. He was determined to put a constitutional check upon this matter. The president would see a difference between a distinct vote in favor of an outfit and salary of a minister, and a vote to increase the contingent fund, in which event he would have to take the money for those purposes out of the fund on his own responsibility, and have to decide upon the necessity of the occasion. He (Mr. *Clayton*) would say, that, when a vacancy had happened, the president was bound to nominate an individual during the next sitting of the senate. He was bound by what was due to himself, as well as to fulfil the requirements of the constitution, not to suffer a session to pass by without laying his nomination before his constitutional advisers and participators in the appointing power.

Mr. *Webster* said, if the gentleman from New York, (Mr. *Wright*), or any one else, would say that there was a nomination to be sent to the senate during the present session, he should then be in favor of making an appropriation. But the committee took the ground that, if a minister was to be sent to England in the recess, his nomination ought to be sent to this body prior to its adjournment, in order that it might exercise its concurrent power, its constitutional power, in regard to the appointment. And, that unless the nomination was made, the senate ought not to agree to make an appropriation. As to the other cases, the appropriations for charges to South America, as it was understood that nominations would be made, they were not stricken out by the committee. If the gentleman from New York would say now that a nomination for England would be made, he would withdraw the amendment of the committee, or he would be willing to introduce it again, should a nomination be made before the bill was returned from the other house. Otherwise, the senate ought not to agree to the appropriation, but should sustain its constitutional powers.

Mr. *Clay* said that he did not agree with the senator from Delaware as to the propriety of making any increase in the contingent fund. He himself would not vote an additional cent to that fund. It was not very different whether the amount were taken out of the contingent fund, or out of the treasury, under a specific appropriation. He thought the gentleman from New York (Mr. *Wright*) had somewhat the advantage in the argument on this point. Eight or nine months had elapsed since the last nomination had been made to the senate, and the president had had ample opportunity of sending in a nomination during the present session; therefore, what charge could be made against this body, for having, in the discharge of its duty, determined not to make an appropriation, because it had a right to have a voice in the appointment of a minister to England, and entertained the opinion that one was intended to be sent without asking their concurrence? The president was as much bound to make a nomination, as the senate was to provide the necessary appropriation; and he had not done it, nor authorised any of his friends to say that he would send one in before the end of the session. Now, he (Mr. C.) would ask, was the senator from Pennsylvania, or any other senator, prepared to say, that it was treating the senate fairly to withhold a nomination now, and, after that body had adjourned, to send a minister abroad without asking its concurrence in the appointment? Was that a proper mode of administering this government? Was it suitable? Was it correct? He might ask, was it constitutional? There were many who believed it was unconstitutional. But whether constitutional or not, it was highly proper that the senate should have an opportunity of giving an opinion on the nomination before the individual was sent abroad. Senators were told they might reject the nomination at the next session, if they disapproved of it. But, it was to be recollected, that that course was always attended with inconvenience to the public, and much expense. The honorable senator from Pennsylvania had said, he believed, that, before the meeting of the senate again, a minister would be sent to England. He (Mr. *Clay*) did not know it, but he believed that would be the case. If the president had reasons for making the appointment in the recess, why did he not communicate them to this body, and at the same time send in his nomination? Why had he delayed nearly a whole session doing so, and left his friends, leaders or no leaders, in such an awkward predicament? Mr. C. concluded by expressing a hope, that an appropriation would be made in another form. He was determined not to vote one cent for the salary and outfit of a minister to England.

Mr. *Bibb* remarked that there was now no minister to England, and yet we are called upon said he, to make an appropriation for a nomination not yet made, nor likely to be made during the session. He could not vote for it. But why, asked he are we called upon to vote this appropriation? It was an office not depending on their legislation, but on the laws of nations, and the president had the power to fill it. But how fill it? When in the recess—now mark the words of the constitution—"he shall have the power to fill all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session." This clause was made to provide for a vacancy happening during the recess of the senate; but it never was foreseen that the senate would be called upon to make an appropriation for the salary of an officer to be appointed in the recess, when the president did not choose to make the nomination during the session of the senate. What would be the effect of making this appropriation? It must be predicated on one of these estimates sent from the executive departments; and, therefore, shews that the president thinks a minister to England is necessary, though he does not nominate one to be appointed by and with the advice and consent of the senate. Therefore, if we vote this money, said Mr. B. we pass by the constitution, and give the president the sole power to act in this matter without consulting the senate. Mr. B. admitted that he did once vote for an appropriation something like this, but under different circumstances. It was in 1813, or 1814, when the law created a great number of officers, and it was not supposed possible that the president could fill them all during the session, therefore he was permitted to fill them in the recess. But was this the case now? Was there any reason why the president could not have nominated a minister to England during the present session? Under these circumstances, to permit the president to make the appointment without the authority of the senate would be losing sight altogether of the constitution; and inasmuch as it would be virtually giving him the power to pass over the senate, he, Mr. B. could not vote for the appropriation. As there was no minister to England, and had not been one for eighteen months past, and as the president had not thought fit to nominate one during the whole session, then almost over, it seemed to him that the senate was bound to reject the appropriation, unless they were willing to surrender the whole of their prerogative into the hands of the president. He was not one of those who supposed it necessary to send ministers abroad when there was no particular negotiation necessary with a foreign power; but be that as it might, he would not give to the president the unrestricted power to send abroad whom he pleased, and when he pleased, and to bring him home and send out another at his own discretion; by this means drawing all the power of appointment into his own hands, and creating all those extraordinary expenses in our diplomatic intercourse, which have been so much complained of. He would not then say, nor was it necessary that he should, whether a minister to England was necessary or not, though the president, he presumed, thought so, or there would not have been an estimate for the appropriation; but if the president thought proper to send abroad a minister without the authority of the senate, he, Mr. B. was not disposed to give him the power to do so, and he should therefore vote against the appropriation.

Mr. *Clayton* could not incur the responsibility of not giving to the president sufficient means to carry on the government, and perform his duties in the recess; and if the gentleman from Kentucky was prepared to refuse such sums as were necessary, he (Mr. *Clayton*) was not. While he agreed, however, that he was bound to give ample means, he would give them so that

the responsibility of their application should be with the executive, and not with him. It was the business of the president to decide whether he would make the appointment. He is responsible, and not me. It might not appear to be necessary to increase the contingent fund. He asked the chairman of the committee on finance the question. If it was, he would prefer to leave this specific appropriation out of the bill, and to increase the contingent fund. Suppose that the president saw great danger of an interruption of our relations with another country, which are now standing in so interesting a position, and thought it necessary to send a minister to England for the purpose of facilitating an intercourse with that other country, would it be right in him, (Mr. C.) to refuse to make an appropriation which might enable the president to send a minister to England, in the hope that he might be a medium of mediation for the adjustment of the differences? He was not prepared to do this.

Mr. Calhoun said the appropriation of the outfit and salary appeared to him neither more nor less than to aid the president in performing an unconstitutional act. If he (Mr. C.) had read the constitution aright, the executive had no right to allow a session to pass over, after a vacancy had occurred, without sending in his nomination to fill the existing vacancy. And this appropriation was to be made for the purpose of enabling the president to supply a vacancy which had *not* happened in the recess! Every senator knew the peculiar circumstances connected with this subject. They were all aware that a nomination had been sent to the senate at the last session, and that it was rejected. Was it asked by this appropriation, then, that the president should be allowed to send a minister to England without first laying his nomination before this body? Senators could not be ignorant of what had taken place on a former occasion, and they might rest assured what would be done again if an appropriation should now be made. It remained to be seen whether the senate would continue to deserve the high character for which it was already distinguished, as an independent, honorable and virtuous body, by its action in the present instance. We have stood here, (continued the honorable senator), as barriers to resist the unconstitutional acts of the executive. If we carry through this noble struggle as we ought—if we stand as a rock, firm and immovable, against these continual violations of the constitution, we shall be entitled to the eternal gratitude of our country. But, on the other hand, if we permit the dignity of this body to be trifled with and disregarded, we shall prove ourselves recreant to the rights and honor of the states which we represent here, and no longer worthy to be their representatives. I trust the appriation will be unanimously rejected—at least, certainly, by all those who take the same view of this subject which I do.

Mr. Tyler said, that when an encroachment was made on the constitution, let it be by whomsoever it might, he trusted he would be as ready to resist it as any senator on that floor; but he could not in the course of his legislation there suppose that the president designed to violate the constitution. He (Mr. T.) would not act on that principle. He did not believe it became him so to act. He regarded the responsibility which attached to himself as well as that which belonged to the president. He would think it unkind did the president charge him, in so many words, with an intention to violate the constitution; and it would be equally unkind in him to make such a charge against the president; and, therefore, he should vote for the appropriation. He put his vote upon this ground, and no other. He would say, as a senator in his place, that the constitution devolved upon him certain high duties. He held that, in the present aspect of our political affairs, there was no constitutional duty on the part of the senate to make an appropriation; but it was politic to appropriate a sum sufficient to enable the president to send a minister to England, if he thought proper to do so. The executive was bound to carry into effect his constitutional powers and authority; to send a minister to England by and with the consent of the senate, provided a vacancy should occur. He denied the president had any right or authority whatever derivable from the constitution, to send a minister to England after the adjournment, and before the next session. He would go further, and say that, if the president were to appoint his (Mr. T's) own brother to this mission during the recess, he would, when the nomination came before him at the next session, reject the nomination.

He wished to be distinctly understood on that point. If the president should so far violate the constitution, (Mr. T. cared not whom the person selected might be), as to send a minister to England during the recess; if, in truth, he should do that act, his (Mr. *Tyler's*) vote would be recorded against it. It would be an encroachment on the constitutional rights of the senate so manifest, that he would be induced to follow the example of the senator from South Carolina, and resist it to the uttermost. But he did not feel himself authorised or justified in supposing that the executive would pursue a course in contravention of the constitution of the United States. He had reason to think he would not. There had been two sessions and two recesses since the vacancy had occurred, and only one nomination had been sent to the senate, and that was at the last session, and it was rejected. None had been made since. But why should he say that one would not be sent to the senate before it adjourned—to-day or to-morrow? Why ought he gratuitously to assume that the president did not intend to make a nomination during the present session?

If the president was truly sensible of the high responsibility which attached to a minister to England, he would nominate an individual. Mr. T. would say that he would nominate, because he went for the presumption, that what the president ought to do, he would do. If not, he would be guilty of great neglect of duty. Look at our foreign relations—the situation in which we stand towards France—all, all pointed out the necessity of having our diplomatic corps complete. If, then, the executive did not nominate a minister at the present session, Mr. T. held he would be guilty of great misconduct and neglect.

He (Mr. *Tyler*) thought that a minister to England was essentially necessary; it was highly proper that one should be sent, and therefore he was willing to vote for an appropriation to carry that desirable object into effect.

Mr. Leigh said he should not, any more than his colleague, indulge the presumption that the president would wilfully violate the constitution. But, he should indulge the presumption, that the executive understood the constitution very differently from the honorable senator and himself, and was of opinion that it was in his power, in the recess of the senate, to fill a vacancy which happened in a former recess. And he (Mr. L.) indulged the presumption, for the reason that the president had done the very deed, (which some honorable senators wished to prevent in future), for he had sent Mr. Livingston to France, two or three years ago, in the recess. Now, it was his (Mr. *Leigh's*) opinion, right or wrong, that the president had no authority, under the circumstances of the case, to make that appointment in the recess; but the president did not so understand the constitution. Mr. L. should, for that very reason, vote against the appropriation; and he should vote for it in no form or shape in which the president could thereby be enabled to violate the constitution, though it might not be a violation according to the president's interpretation of it. He should be willing to vote for an appropriation, with a proviso, that no money should be paid unless the minister was appointed by and with the advice and consent of the senate. He never would give his vote for this appropriation under any other circumstances, seeing that the president differed from him in his construction of the constitution, which completely surrendered the concurrent power of the senate.

Mr. Calhoun said that he was not in the senate when the debate commenced. He asked if the president had desired this appropriation? Or had he expressed a wish to make any appointment?

Mr. Webster replied that the committee had no intimation of the desire of the president but the simple estimates from the department. As he had before said, there were some appropriations made for charges on the understanding that they would be nominated. But on the subject of a minister to Great Britain the committee had no information but that which the bill indicated. The bill as it went to the committee, contained an appropriation for outfit and salary for a minister and secretary of legation for England. The amendment under consideration corrected the bill in this particular. It struck out the outfit and salary for minister and secretary of legation, and continued the charge d'affaires. From the omission of an appropriation for a charge, it was presumed to be the settled purpose of the executive to send a minister, as an appropriation for that purpose was inserted. The only question for the senate to decide was, if it was proper for the president to send a nomination to the senate, if he designed to make an appointment before the next session. The committee had kept back the bill to the last moment chiefly for the purpose of enabling him to do so. Last week he had called the attention of the committee to all the other parts of the bill, and they had waited since, in the hope that a nomination would be made. The gentleman from Virginia (Mr. *Tyler*) was willing to appropriate, while he avowed the opinion, that, if the president kept back the nomination, and sent a minister after the session, it would be an unconstitutional act. Many others took a similar view. The sole ground on which they desired the appropriation to remain in the bill, was that the president would send in a nomination to-day or to-morrow. He (Mr. W.) had never known any instance where the president had thought it to be his duty to keep his purpose so profoundly secret that it had not escaped to a member of either house. He presumed that the president had no intention to nominate. Such also was the impression in other quarters. He was willing to keep back the bill to the last moment; but if there was no nomination, he could not consent to the appropriation. He would rather risk the whole appropriation bill, because he believed that the constitutional rights of the senate were more in danger of being thrown over on this, than on any other question. This was the last day but one of the session. Who was prepared to say that any nomination would be made? If none were so prepared, let the appropriation be stricken out. There was no presumption in favor of the view of the gentleman from Virginia. The bill must go to the president to day or not at all. Was it not an irresistible presumption, that the president desired to let the session go by without making a nomination?

Mr. Calhoun remarked that the senate was about to make an appropriation in order that a minister might be appointed by the president in the recess, for not a single friend of the executive had risen in his place and stated whether the president intended sending in a nomination to the senate. The senator from Virginia had stated that the president's making a nomination at this session was a question of duty. Yes, it was his duty—a high constitutional duty to send to this body his nomination,

He had only to look at the state of our foreign relations—particularly with France, to be convinced (if he required any convincing) of the great importance of our having a minister of the first grade at the court of St. James. The duty of the senate was to protect its own power. There had been a war against it, which was calculated to destroy it, had it not been composed of strong materials—of firm, unbending and fearless men, acting in a righteous cause. He concurred in the remark of the senator from Massachusetts, that he would rather risk this appropriation bill, and every other bill, than make an appropriation under present circumstances.

Mr. *Shepley* observed, that it was not his purpose to enter largely into the discussion. The state which he had the honor in part to represent, had a very powerful interest in this question. It could not but be remembered by the senate that that state had interests of a most vital character, and on which she felt most deeply, to be treated of in our negotiations with England, and which had in some measure been for a long time neglected. She would have great cause of regret and complaint, that because of a mere difference of opinion between the executive and senate, no minister was appointed to a court where it was so necessary that a question deeply affecting her should be settled. What had the senate to act upon? What evidence was before them that the president would not make the nomination before the close of the session? He had listened with great attention to the debate, and he had heard no one authorised to say that no nomination would be made to the senate at this session. They had heard, it was true, that none would be made; but what was the evidence? A bill was before the senate making appropriations for the diplomatic intercourse of the United States, and a motion was made to strike out the salary and outfit of the minister to England. But would that prove that the president did not mean to make the nomination? He was still disposed to think that what he so much desired to see would happen; that is, that the president would make the appointment before the close of the session, and he would therefore vote for the appropriation. He regretted very much that the idea had been thrown out that no minister would be appointed.

Mr. *Tyler* doubted very much the propriety of the amendment. An appropriation for the salary and outfit of a minister to England was to be made, provided the president did not violate the constitution. Holding the opinion, as some senators did, that he would send a minister to England in the recess, the amendment was certainly equivalent to a declaration of that sort. He (Mr. T.) should deem the phraseology of the amendment improper. The views of the senator from Massachusetts on this subject were very strong, and they would have undoubtedly much weight with the public. Although, as had been said, almost the last hour of the session had come, yet he was disposed to wait till almost the last minute to give the president an opportunity of sending in his nomination. He did not wish to furnish the executive with an excuse, but he wished to prevent him from having to state in his defence for not sending in his nomination, that the senate would not agree to make an appropriation unless he had first sent it to them. Did it become the senate to insinuate such a thing as that he intended to violate the constitution? When he violated it, then it was time enough to act. But to anticipate a violation, and announce it in defence of that senate's action, he did not know that such a thing was ever done in this country or any other. He extremely regretted that he could not agree with his honorable friends on this important matter. The course which he had taken was one of duty, and he could not swerve from it.

Mr. *Webster* said, that of their votes the senate kept a record, but of their voices they unfortunately kept none. He could not make any distinction between this and the French mission.

By making this appropriation without the amendment, we are, said he, inviting the president to make the appointment in the recess. He cannot, said Mr. W. listen to our arguments, and of our protests he would be very apt to treat them as we have done his.

Mr. *Clay* said it now appeared from the admission of the senator from Maine, that his state had a deep interest in our being represented at the court of Great Britain by a minister. He, Mr. C. had known this for a long time, and with some surprise he had seen the gentleman sitting there the whole session quietly with that knowledge, this being the very first occasion that he had ever uttered one word on the subject. If at any time the gentleman had got up in his place and expressed his regret that we had no minister at the British court, and had made any proposition looking to our being represented there, he would have found him (Mr. C.) entirely concurring with him in support of the measure. It was now only about eight hours to the close of the session, and he did not think it likely a nomination would be made in that short time, when one had not been made in a session of three months.

Mr. *King*, of Alabama, observed that there were twenty-four hours of the session left.

Mr. *Clay* continued. The gentleman might put it thirty-four hours if he pleased. He was not particular, it was sufficient for him that he did not believe that a nomination would be made. By refusing this appropriation, he should not, as the gentleman from Virginia strongly says, be pre-supposing that the president would violate the constitution.

The gentleman did not seem to have attended to the attitude taken by the executive with regard to foreign appointments. A minister was sent to England three or four years ago, during the recess; since then a minister was sent to France during the recess; and he had no doubt that a minister would be again sent to England during the recess, without the constitutional concurrence of the senate, if the amendment should not be adopted. It did appear to him a little extraordinary in the senator from Virginia, knowing as he did that the president held ideas dissimilar from his own with regard to executive power, that he should oppose the amendment, and knowing too that the president had repeatedly made such appointments during the recess of the senate. He should have supposed that the amendment would meet with the concurrence of every senator, and that it would be supported particularly by the senator from Maine, as it would enable him to have a minister at the court of Great Britain, who was so much wanted there to attend to the great interests of his state, unless the gentleman preferred to have one without the authority and concurrence of the senate.

Mr. *King*, of Alabama, could not vote for the amendment proposed by the senator from Massachusetts. He believed for one, that the president should not, except in extreme cases, appoint ministers without the advice and consent of the senate. But extreme cases might arise, in which it was necessary for the president to make appointments without consulting the senate. It was impossible for gentlemen to shut their eyes to the fact, that many extreme cases had arisen, in which such appointments had been made. Mr. Rush was sent to England during Mr. Monroe's administration, and Mr. Adams called Mr. Rush home and sent Mr. Barbour in his place. There were other cases. Mr. King, of New York, was appointed in the recess and sent abroad. What did he do? In a short time he came home and left a charge in his place who received the outfit and salary.

There were various cases, running through the history of the government, not necessary to recapitulate, in which this power had been exercised. For himself, he was disposed to narrow down this power as much as possible. But as extreme cases *might* arise, in which it would be necessary to exercise this power; he could not, by his vote, say, that the power should, in no case, be exercised. This appropriation was only to change a charge for a full minister. You have made, said Mr. K. an appropriation for a charge, and, the interest of the country requiring that we should have a full minister at the British court, this appropriation was only changing the grade of our representative there. In this case, he expressed his regret; he did so, and spoke it honestly, that no nomination of a minister to England had been made before that time, as the appointment ought not to be made but by and with the advice and consent of the senate. He spoke this honestly, without fear of the administration; and he did hope that the president had friends who would advise him to make the nomination before the close of the session. Hoping that this course would be pursued, he was prepared to give the president the means of sending a minister to England; but if he believed that the president would make the appointment in the recess, he would vote against making the appropriation. As to the amendment, he must vote against it, for it seemed to him like saying, that one of the co-ordinate branches of this government should be guarded by another. He did hope that the appropriation would be made with the understanding, which all of them had, that the appointment would be made before the end of the session, and not made during the recess in violation of the constitution.

Mr. *Calhoun* said that the amendment was absolutely necessary to guard their construction of the constitution, especially so as the executive construed that instrument differently from themselves.

Mr. *Tyler* did not mean to be the champion of the administration on that floor. It would be recollected that a minister to England was sent about two years ago to supply a vacancy which occurred during the recess, and the president acted properly in sending one. He need scarcely say that the nomination was rejected. And with regard to the French mission, what happened? Why, Mr. Rives had signified his intention to return to the United States on account of ill health, and the president appointed Mr. Livingston, in the recess of the senate, to supply his place; and he accordingly departed for France before Mr. Rives had left that country. When congress again assembled, the senate took up the subject and it underwent much discussion. On one side it was contended that here was an anticipated vacancy, and that the president was bound to make his nomination during the sitting of the senate. He (Mr. T.) thought the reverse, because Mr. Rives might have changed his mind. His plea for returning was bad health. The nomination of Mr. Livingston was confirmed.

Mr. *Clay* would not do the honorable senator from Maine the injustice to say that he, on any occasion, voted against the administration; but what he (Mr. C.) did say was—that, as the gentleman's own state was deeply interested in the appointment of a minister to England, any proposition to effect that desirable object, would have, he had no doubt, his hearty support. Did the senator believe that any nomination would be sent to the senate during the present session? Did any man here believe it? He trusted that those who possessed any influence, particularly with the other branch, would employ it to produce such an object. Ninety-two days had elapsed and not a word had the senate heard about the nomination in question. He had looked all around that chamber for some days past, but not a word had he heard escape the lips of a single senator as to the intention of the president to send in his nomination.

Thirty-four and a half hours only remained to the present congress, and yet no nomination. Well, *nous verrons*.

Mr. *Black* did not believe the insertion of the proposed proviso in the bill an insinuation that the president purposed violating the constitution. If the executive were permitted, by the silent acquiescence of the senate, to make a practice of allowing the session to pass without laying his nomination before it, he might, if he chose, keep a man in office as long as he was disposed, without the consent of the senate, and thus would the appointing power which belonged to it be rendered nugatory.

Mr. *Webster* then moved to amend the clause so as to provide that the outfit and salary should not be paid except to a minister appointed by and with the advice and consent of the senate first had and obtained.

Mr. *Webster* asked for the yeas and nays, which were ordered.

After some further discussion, the question was taken and decided as follows:

YEAS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Goldsborough, Hendricks, Kent, Knight, Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Swift, Tomlinson, Waggaman, Webster—28.

NAYS—Messrs. Benton, Brown, Buchanan, Cuthbert, Grundy, Hill, Kane, King, of Alab. King, of Ga. Linn, McKean, Morris, Robinson, Ruggles, Shepley, Tallmadge, Tipton, Tyler, White, Wright—20.

So the amendment was agreed to.

LAW INTELLIGENCE.

From the Philadelphia Gazette.

William Morgan, otherwise called BILL, vs. J. Reakirt, keeper of Arch street prison. } Supreme Court of Pennsylvania. Writ de homine replegiando.

On Tuesday, March 31, 1835, a motion was made to quash the above writ, under the following circumstances. The plaintiff, a mulatto named Bill, was claimed to be the slave of Mrs. Richardson, of Harford county, state of Maryland, and being arrested, was brought before the honorable judge Randall, according to law, and after a thorough investigation of the claim, (the slave being there attended by *three* attorneys) judge Randall was satisfied from the evidence, and on Saturday, March 23, at 12 o'clock was about to pronounce such a decision, when a request was made that the certificate, authorising his removal to the state of Maryland, should not be granted until 5 o'clock of the same day, in order that time and opportunity might be afforded to issue the above writ; the delay was granted, and the certificate was not issued till 5, P. M. On the discharge of the judge being presented, the keeper of the prison refused to deliver the man, the writ *de homine replegiando* having, in the meanwhile, been served upon him.

The supreme court (all the judges being present) immediately ordered the writ to be quashed, the certificate of the state judge being conclusive evidence, according to law, and the writ being in derogation of the claimant's constitutional rights.

Counsel for claimant—Henry M. Phillips, Esq.

For slave—David Paul Brown, Charles Gilpin and George Griscom, Esqs.

What is a delivery of goods by the master, to discharge the bill of lading? This question lately came before the chamber of commerce of Charleston. Their decision has been published in the Charleston papers, and will, we have no doubt, be considered just. The committee of arbitration say:

"In arriving at a conclusion in this matter we shall lay down one or two plain principles, which we believe to be established both by law and custom. A general ship, owners and masters, are assimilated to common carriers, and nothing but a real delivery of the goods, (the customary risks excepted), will discharge their obligation, or entitle them to freight. The mere landing of goods, therefore on the wharf, is not a delivery in the meaning of the bill of lading. Provided the consignee does not know of their being landed, they are still in transitu, and are as much under the care of the master as if they were still in the master's hold. The terms of the bill of lading are strong and explicit. The master promises to deliver the goods. To whom? Unquestionably to the consignee, his agent, or assigns.

"Would a mere delivery on the wharf then, if afterwards the goods were stolen or destroyed before the consignee took charge, entitle the ship to freight? We think not. This alone shows that something more is wanting towards the completion of the master's engagement than the simple act of landing. It clearly follows, that if goods be landed without the knowledge of the consignee, and no notice has been brought to him of the landing, it is the bounden duty of the master, even to entitle him to a demand for freight, effectually to protect those goods from injury of any sort. If this sound and wholesome principle were not to prevail, it is easy to perceive that merchants may be injured very materially, even in a few hours, and without resource. A contrary custom might involve the whole mercantile community in constant losses and vexatious dispute."

From the Philadelphia American Sentinel.

OVERINGTON vs. DUNER.

This case deserves notice on account of the warning exhibited by its result. It was tried before judge *Stroud* and a special jury, on the 18th ult. It was brought by the plaintiff under the following circumstances. The plantiff is a farmer residing in this county. His team and wagon, in charge of his hired man, were passing down the old York road near Green street, when the defendant's horse and gig, without a driver came down the same street, in a full run, and the shaft of the gig entered into the body of the plaintiff's horse, and inflicted an injury, which resulted in the death of the animal. The defendant is a doctor of medicine, had been visiting a patient, and had driven his horse and gig into an open yard, where he left the animal standing, unhitched and not in the care of any person, (believing him to be quiet and gentle), while he examined the patient. The horse started out of the yard, and as he proceeded in the street became frightened, and the accident described ensued.

The question before the jury was one of fact—whether the defendant had been guilty of negligence, in taking the proper care of his horse. The defendant contended he had taken all reasonable and ordinary care. The jury, however, rendered a verdict of $181 for the plaintiff, being the value of the horse, and the bill of the veterinary surgeon. Miles for plaintiff, Naylor for defendant.

IN THE SUPERIOR COURT NEW YORK.

April term—1835.

Before judge Hoffman.

Ralzamon Belknap vs. *The Camden rail road transportation company.* This was an action against the defendants as common carriers, to recover the value of five trunks of baggage intrusted to their care by the plantiff, and lost or stolen whilst in their charge.

In the month of August 1833, the plaintiff arrived in this city from Harford, with his family, on his way home to the state of Delaware. He proceeded with his baggage to the office of the defendants, and being too late to depart by the steamboat that day, he left his trunk in the charge of Mr. John W. Bliven, a clerk in the office; requesting him to lock them up. This the clerk promised to do; but plaintiff on calling a short time afterwards, found that his baggage had not been thus secured, and repeated his request. Mr. Bliven again promised to comply with it, and excused himself for not having done so before by saying that he had been very much engaged. The plaintiff called again in the evening, and found the baggage missing; and it has not since been recovered. The present action was to recover its value, which was alleged to be 300 dollars, and so proved by the testimony of a witness who saw it packed in the trunks.

The points of defence were, first, that a printed notice was exhibited in the office, stating that all baggage was transported thence at the risk of the owners; secondly, that the clerk had no right to make a special contract for its security; and thirdly, that no consideration had been paid for the responsibility, if any, which was incurred.

It was contended in reply to this, that the notice in the office was voluntarily withdrawn by this special undertaking; that the clerk, being an acting agent for the defendants, they were responsible for his acts; and that the consideration for this special contract, was the fare which the plaintiff would have paid for the transportation of his family and their baggage, had not the latter been lost.

With regard to the value of the property lost, the counsel for the plaintiff said there could be no doubt, even without the testimony of the witness who deposed to it. The wearing apparel of a family, among whom were several ladies, could not be of less value than three hundred dollars, when, in these modern days, it took full *fifteen dollars worth of silk to make a lady's sleeve.*

The judge charged that if the jury believed Mr. Bliven to have been the agent of the defendants when he made the promise to the plaintiffs, the latter was entitled to their verdict. The jury retired for a few minutes, and returned a verdict for the plaintiff in 300 dollars.

Counsel—Mr. Staples for the plaintiff, and Mr. John Anthon for the defendants. [*Courier.*

FOREIGN MINISTERS.

A case of considerable interest was recently decided before judge Irving, of New York. It was reported at length in the New York Sun, from which we derive these particulars. It seems that the baron Huygens, who had for many years been the minister resident of the king of Holland, near the government of the United States, having been formally recalled, presented his son, the Chevalier M. de Huygens, to the secretary of state, as *charge*, near our government, who was accredited and acknowledged accordingly. In this character he continued to represent his government until July 1833, when he was

superseded, recalled and ordered to return home to render an account of his mission, and on the 11th of that month, he delivered his letters of recall, and presenting his successor's to the head of the department and to the president, after a formal audience of leave, took his departure as charge, from his residence near the government of our country. Instead, however, of returning home in obedience to the orders of his sovereign, he continued to reside in this country in different places indulging such pleasures and amusements as he choose to do, until April, 1834, when he was attacked with sickness of a protracted nature, which further detained him here. This illness, however, was not of such an aggravated character as subsequently to prevent his return, which he was advised by his physician to do. During his residence here, in his ambassadorial character, and since for many months, he had in his employ, a servant named John, whom he was to pay $18 per month for his services, but whom he had not paid. Not being able to procure the payment of his wages, John left the employment of Mr. Huygens, and repeatedly soliciting a settlement of his accounts, one was finally obtained in August last, in which a debt was acknowledged to be due to John, from Mr. Huygens, of $499 27, for services rendered to the latter. Shortly after, John obtained a note of $500 from Mr. H. which was placed in the bank for collection, and at maturity was protested for non-payment.

Subsequently the debtor was sued for the money, and through his counsel, denied the jurisdiction of the court, and its authority to hold him to bail, by virtue of any process of debt or damage, but applied for an order for the arrest of all proceedings against him. The order was resisted by the counsel for the plaintiff, on the ground that in consequence of the functions of Mr. Huygens having long since ceased, he having no further ambassadorial business to transact here for his government; and that after his recall, his not returning home to render an account of his mission, but continuing here as a private individual, for more than a year and eight months, after the cessation of all his public functions, that his privileges from arrest, &c. has ceased, and he was held liable to answer for his debts, in the same manner as any other individual.

Judge Irving decidedly denied the doctrine, that, after an ambassador's functions had ceased, and he had a reasonable time allowed him to return home, that he could continue to reside in this country merely as a private individual, for a year and eight months, contracting debts for necessaries, &c. and yet continue to plead, and to exercise his immunities of freedom from arrest, and thus escape all legal responsibility, and he therefore denied the motion to dismiss the proceedings, with costs, and decided that Mr. Huygens should be held to bail. [*Phil. Ing.*

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At the April term of the circuit court of the United States for South Carolina, James McHardy, mariner, was tried for the murder of Charles Pendleton, on the high seas, on board the brig Boston, on the 21st of November last. William Lynn testified that at about half past seven o'clock on the evening of Friday, the 21st of November, the prisoner passed into the forecastle, and stabbed two men, Charles Pendleton, sleeping in the upper berth, and John Lewen, sleeping in the lower berth. Both cried out at the same time that they were stabbed—and the prisoner immediately went on deck. Next morning he was taken before the captain, and asked why he had killed the men. He replied that if he had not taken their lives, they would have taken his—he was not perfectly collected at the time, and appeared like one who had the "horrors" from drinking. He told the captain at the same time that he would have killed more men had he not been stopped. There had been no quarrel between the prisoner and the deceased; but they had laughed at him for having the "horrors"—he was generally very silent—always in a deep melancholy—appeared like a man out of his senses—gave as a reason for killing the men that they had threatened his life, and to throw him overboard; thinks that the prisoner labored under the impression that they were going to kill him; he was not intoxicated at the time the murder was committed. Prisoner had no liquor while on board, but the small quantity given to him by witness. Prisoner told witness that on the Monday and Thursday previous to sailing, he and another man had drank one and a half gallons of brandy. Prisoner was sober when witness first saw him, and continued so until the murder was committed.

One of the passengers testified as follows:

On the morning of the 21st, the day of the murder, he heard the mate tell the captain that one of the men, the prisoner, on the evening previous was crazy or had the "horrors," and wanted to throw himself overboard; the captain then called McHardy, the prisoner, to him, and asked him if he wished to drown himself last night; prisoner replied yes; the captain then told him to get some rope and tie it round him, and throw himself overboard; the prisoner went and got the lead line and wound it round his body; the captain told him to put that by and get some lashing; he did so, and brought it on the quarter deck; the captain ordered him to tie it round him, which he did; the captain then ordered him to untie the rope and get some water on the deck, and drown himself there; prisoner then drew 4 or 5 pails of water and put them into a tub; the captain then told him to take off his hat and jacket; and he at once threw his hat overboard; the captain asked him why he had done so, to which he replied, that as he was going to drown himself, he had no further use for it: he then took off his jacket, and wanted to throw that overboard also, but the captain prevented him from doing so; the captain told him then, that if he was going to drown himself, to do it. Prisoner immediately turned his shirt collar down, and put his head into the water, and there kept it for some seconds. He did so for two or three times. The last time he did so, his feet began to kick, upon which witness cried out shame, take him out. Witness really thinks that he meant to drown himself. When he took his head out, he had all the appearance of a drowning man; his face was quite pale, and his lips like white paper. Captain told him that there was nothing the matter with him but the "horrors," and that he would give him some medicine. Prisoner said, about two o'clock the same day, that the medicine which the captain had given him, had rid him of the terribles, and restored him to his natural faculties; seemed at this very time all over nervous. Witness did not then think him perfectly sound, and thought him laboring under the "horrors." At the time he said he was restored to his senses, he was then pretending to pick the vermin off him, while there was nothing on him—never saw any sign of intoxication in him, and seemed to be sober while on board—repeatedly said after the murder that if he had not killed them, they would have killed him.

Judge *Wayne*, after making some remarks upon the evidence, and saying that there could be no murder without malice, and that a man's malice must depend on his sanity, charged the jury that if they believed that the accused, at the time he committed the act, was incapable of distinguishing right from wrong, in relation to the act itself, and that if this incapability arose from insanity, notwithstanding that insanity might have been produced by drunkenness, the prisoner was not responsible for acts committed under its influence.

Judge *Lee*, after a few remarks on the evidence, said to the jury, that the only point for their consideration in this case was, whether the accused, at the time he committed the act, was in such a state as entirely deprived him of the use of reason, as applied to the act in question, and of the knowledge that in committing it he was doing wrong. That the degree of disordered intellect which produces an unconsciousness of the criminality of the act committed, constitutes that legal insanity which exempts a human being affected with it from judicial responsibility for the commission of such act. That insanity, produced by intemperance, stands on the same footing with any other form of diseased mind which is pleaded as a bar to punishment, and that the cause of such insanity cannot in any manner legally effect the prisoner's irresponsibility for acts committed under its influence. That immunity from punishment depends on the existence of insanity, and not on its causes, to which the law can never look.

The jury, after being out a few minutes, returned a verdict of *not guilty*.

Next day a *nolli prosequi* was entered by the district attorney, as to the indictment against McHardy, for the murder of *John Lewin*.

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From the N. Y. Commercial Advertiser.

The supreme court of Massachusetts have lately made three decisions, which, perhaps, will be interesting to the profession. The first was in a suit brought for the support of the plaintiff, a female, which was alleged to have been charged by the will of a former owner upon certain land purchased by the defendant. The court decided that when a testator by will directs that a person shall be supported "*out of his estate*," the support, after the personal property is exhausted, remains a charge upon the land of the testator, even in the hands of a subsequent purchaser. The second decision was in an action brought against the proprietor of a stage coach, for the loss of a box containing engraved steel plates, intended to be used in the publication of a large and splendid bible. The coach of the defendant formed part of a line, owned by several proprietors; and the court decided that it was not sufficient for the plaintiff to prove delivery of the box to the general agent for the whole line, but that it must be shewn to have come into the hands of the defendant's particular driver, and been lost by him. The third case was an action brought by the Greenfield bank against a man to whom a package of money had been intrusted for delivery at Boston, and by whom it was embezzled. The greater part of the money was recovered, but in the action for the remainder, the court decided that the damages should be assessed not only for the sum still missing, but also for the amount of rewards offered and paid by the bank for the recovery of the money and the arrest of the offender. We perceive that a late decision of the court of common pleas, by which a Mr. Currier recovered a verdict of seven thousand dollars against the town of Lowell, for an injury sustained by him in consequence of the badness of a road which the town was bound to keep in repair, has been confirmed by the supreme court.

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INDIANS IN OHIO.

The court of common pleas, sitting at Bucyrus, in Crawford county, Ohio, have decided that our state courts have no jurisdiction over offences committed within the Indian reservation. We subjoin an extract from judge Higgins' opinion. The culprits are detained for trial in the United States circuit court.

From the People's Advocate.

Extract from the charge to the grand jury, delivered by the president judge, (hon. *D. Higgins*), *March* 16, 1835.

In viewing the relative position which the Indians sustain to the government of the United States and of the several states, many questions arise which are referable to principles of policy

and of constitutional law—as well as to the law of nature and of nations. These questions I do not propose at this time to discuss.

The subject has recently been illustrated by the very elaborate opinions of three of the judges of the supreme court of the United States, and by the luminous review of those opinions by a high functionary of the government.

The present condition of the Indian tribes in the United States, is the result of the operations of that rule which is universally conceded, that civilized communities have a right to take possession of a country inhabited by barbarous tribes, and to apportion to their own use such portions of the territory as their wants and necessities may require.

The right of conquest is conceded, and it may be admitted that incident to that right is the power to extend jurisdiction over both the person and territory of the conquered people.

The right of the government of the United States to exercise this jurisdiction within the territory of the United States, and beyond the boundary of any particular state, is undoubted.

But whether this jurisdiction, in the case of an Indian territory being contained within a particular state, is properly exercisable by the government of the United States or by that of the particular state, is a question of much delicacy and much difficulty.

The question whether the constitution of the United States, the power is conferred upon the general government to exercise municipal jurisdiction over an Indian territory within the bounds of a particular state, constitute an important branch of the argument in the discussion of the supreme court of the United States. But it seems to me that the question here presented does not rest upon that ground.

I am not prepared to say that the state of Ohio has not the right by a legislative act to extend her right over the Indian reservations within her territory. The question is not now presented, what powers the state of Ohio possesses in virtue of her character as a sovereign state? But one question is, what is the existing law upon this subject by which the court must be governed? The question is one of practical operation—and must be decided by a reference to existing laws.

By the third article of compact contained in the ordinance of 1787, for the government of the north western territory, and which is unalterable except by the consent of both parties, it is enacted "That the utmost good faith shall always be observed towards the Indians. In their property, rights and liberty, they shall never be invaded or disturbed, &c. But laws founded in justice and humanity shall, from time to time, be made for preventing wrongs being done them, and for preserving peace and friendship with them."

Had there been no legislation upon this subject until this late day, the question might perhaps be now mooted with some uncertainty as to what must be the ultimate decision whether those "laws founded in justice and humanity," for protecting the rights of Indians should be enacted by congress, or by the several states or territories within which the Indians might reside. But it is believed that the legislation of congress upon this subject was nearly contemporaneous with the ordinance of 1787; and the existing statute of congress provides, "That if any Indian or other person shall, within the United States, and within any town, district or territory, belonging to any nation or tribe of Indians, commit any crime or misdemeanor, which if committed in any place or district of country under the sole and executive jurisdiction of the United States, be punished with death or any other punishment, every such offender on being thereof convicted, shall suffer the punishment as is provided by the United States for the like offences, if committed within any place or district under the sole and exclusive jurisdiction of the United States, *Provided*, &c. that this act shall not affect any treaty, &c. and shall not extend to any offence committed by one Indian against another, within any Indian boundary."

By this act the United States government assume to exercise complete criminal jurisdiction over all offences committed within the Indian lands throughout the whole United States.

They have assumed the like jurisdiction in civil matters by the act regulating trade and intercourse with the Indians, by which act almost every kind of commercial intercourse, or rather interference with the Indians upon their own lands, is not only prohibited, but rendered highly penal. It is believed that upon these subjects there has been no legislation by the state of Ohio. And if such be the fact, the conclusion to my mind is obvious, that the state courts have no jurisdiction to try and punish offences committed upon Indian territory.

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Superior court of New York—April 25.

Judge *Hoffman* presiding.

John E. Hyde, administrator of William Cowley, deceased, vs. the Washington insurance company.

This was an action upon a policy of insurance, given by the defendants to William Cowley, dated November 14, 1830, and renewed from time to time until the 12th of May, 1832. On the 14th of May, 1832, it was renewed for one year, and by this renewal 6,000 dollars was insured upon earthenware and other merchandise in the store of Cowley, 24 Gold street.

Cowley died in the latter part of 1832, and on the 27th of April, 1833, the property insured was destroyed by fire.

In the preliminary proofs served on the insurance company, the loss was estimated at 4,586 dollars.

On the 16th of May, 1834, after the suit was commenced, the company paid into court the sum of 3,800 dollars, and the plaintiff claimed to recover the difference between this sum and the amount at which the loss was estimated at in the preliminary proofs with interest.

The counsel for the plaintiff proposed to submit to the witnesses the account of the loss furnished to the company, and examine them as to its correctness, instead of requiring them to state the value of each particular item charged. This was objected to on the part of the company, on the ground that the examination would be wholly conducted by means of leading questions. The objection was overruled by the court, and judge Hoffman said that the course proposed by counsel for the plaintiff, was uniformly put in practice in insurance cases. This decision was excepted to on the part of the defendants. William Jacques, Hubert Van Wagenen and Edward S. Innes were then examined as to the correctness of the accounts, and proved its *general* correctness.

In their cross examination they estimated the value of some of the goods specified in the account, at a higher, and others at a less sum than was charged in the account, but the variation was inconsiderable.

Counsel for the defendants contended that the plaintiff was bound to prove that the goods specified in the account were actually lost by the fire.

In answer to this, it was urged on the part of the plaintiff, that by paying the money into court, the defendants had admitted the loss of the goods, and that the only question to be submitted to the jury was the value of those goods. Counsel for the defendants admitted that by paying the $3,800 into court, the defendants had admitted every fact which the plaintiff might be otherwise required to prove, except the amount of damages, which depended as much on the quantity of goods lost as their quality or value, and that the plaintiff was as much bound to prove one as the other. The court decided that the only question for the jury was the value of the goods specified in the account, their loss being admitted by the payment of the money into court and cited a case in which this principle had been established. To this decision exception was taken on the part of the defendants.

Counsel for the company then offered in evidence the inventory of the estate of Cowley, which was filed in the office of the surrogate by the administrator. On the part of the plaintiff it was contended that this inventory was improper evidence to be submitted to the jury. It was an estimate of the value of property by appraisers and not by the administrator. The appraisers themselves were in court, and could be examined on the part of the company, but an appraisement by them, sworn to before the surrogate, could not be received in evidence in this cause. The court ruled that the inventory was inadmissible. Counsel for the company excepted, and the cause went to the jury, who returned a verdict for the whole amount claimed.

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Case of Mr. Buchanan.

The following relation of the truly affecting circumstances attending the trial of Mr. John Buchanan, before *Anne Arundel county court*, on Thursday last, is copied from the Annapolis "Republican" of Saturday.

Mr. Buchanan acquitted. Seldom has a case occurred in our community eliciting so intense an interest, as that excited in the trial of young Mr. Buchanan, which took place on Thursday the 23d ult. in Anne Arundel county court.

The public have been apprised through the columns of some of the public papers, that in a rencontre which took place some three weeks ago at Waterloo, Mr. Buchanan, son of Thomas Buchanan, esq. chief judge of the highest judicial tribunal of this state, had shot a man by the name of Ellis, and that he had been committed for trial.

Mr. Buchanan was acting in the engineer department upon the line of the Baltimore and Washington rail road, and the deceased was one of the persons employed thereon. The scene lay at the spot where so many lawless acts of violence had recently been committed, and the catastrophe may be considered as one of those deplorable results which were so much to be apprehended from the posture in which society was there placed for the time being, when unusual precaution for self defence became almost indispensable.

After inquiry into the facts of the case, a number of very influential individuals determined immediately to lay a statement thereof before governor Thomas, with a full confidence that those facts, taken with the whole concurrent circumstances, formed such a case as to call for the exercise of that high and delicate prerogative which is intrusted to the governor alone, of arresting all further proceedings against an accused. Whilst this was in progress, however, judge Buchanan reached the city, and instantly placed his *veto* upon all attempts of the kind, and pronounced that his son should await the verdict of his country.

The grand jury having indicted Mr. B. for the higher, as *pro forma* including the inferior grades of homicide, he was arraigned on Thursday morning, and a jury empannelled. Such impressions as the countenance, personal appearance and deportment of an individual so circumstanced, are calculated to make, served to deepen the interest which pervaded the whole scene. An affectionate brother was at his side. But the most striking moral spectacle which we ever witnessed—which we ever expect to witness—was the entrance of the venerable judge Bu-

chanan into the court—a place where for more than thirty years we have all been in the constant habit of seeing him approach only for the purpose of presiding its chief, and to which station was gathered around him, by as long a course of the gentlest suavity, not less of the endearments, than by his distinguished talents, he had accumulated of respect and veneration for all those qualities which belong pre-eminently to the station he fills—and when entering, not only stopping short of the accustomed elevation, but taking his seat in a position *so contrasted* to all that had been. There was a moral sublimity in conceiving the broad basis upon which is founded, and the ample elevations to which are reared our civil institutions, as at that moment demonstrated before our eyes. Probably no man breathing could bring to such a position more of those sensibilities which properly belong to a man and a father, than judge Buchanan. He was conducted into court, and to a seat, by Roger B. Taney, of Baltimore city, and Joseph I. Merrick, of Washington county, who had volunteered their services as counsel in the case, as did also Reverdy Johnson and Thomas S. Alexander, esqs.

The court was occupied the whole day; and excepting a short respite for dinner, until about seven o'clock in the evening, in the examination of the witnesses, which was conducted by Mr. Boyle for the state, and principally by Mr. Johnson for the prisoner. We should do injustice, were we to omit to say, what must have been manifest to all who were present, that colonel Boyle not only opened the case in a very impressive style, but conducted the examination with the single view of eliciting the truth, whatever it might be, and of fulfilling the duties of his station to the utmost, however painful the obligation might become. The occasion seemed, indeed, to inspire a solemnity of judicial proceeding, which should give that full confidence in the impartial administration of law and justice, which constitutes, at least, the bond of our social system. If called upon to propose a sample of what trials ought always to be, we should unhesitatingly adduce this one of Mr. Buchanan, as furnishing the most unexceptionable specimen we have ever looked upon—and not the less unexceptionable because the jury empannelled were treated, upon this occasion, as if esteemed to possess some share of intellect of their own.

The evidence in the case was entirely conclusive of the fact, that Mr. B. being in company with an acquaintance, *within a house*, was by concert called out thereof, for the purpose of being called to account; that when thus outside and unaccompanied, the deceased, a man who, it was in evidence, as of bullying habits as well as athletic frame, without the slightest pretence of personal injury, and though warned in mild terms by Mr. B. that being entirely ignorant of the dispute and he ought to have nothing to do in it, and still further warned, that he, Mr. B. being armed, would repel any attempt upon his person, thus apparently threatened by several, not only volunteered to "take the part" of the person who had Mr. B. called out, but advanced to the most unequivocal demonstration of carrying his threat into instant effect. There remains no doubt that whilst in the act of attempting a blow, he received his death.

The testimony in behalf of Mr. Buchanan's general character, as well as that in relation to his deportment since being in the vicinity of Waterloo, was unequivocal and entirely satisfactory. Persons of the first respectability who had associated with him from childhood, testified that his distinctive character through life was that of "amiability of disposition and simplicity of manners," whilst Mr. Merrill, of Waterloo, testified that during all his sojourn at his hotel, he had been the favorite of his whole family, and regarded more like a member thereof, or a son, than as a boarder.

The testimony having been closed, the prosecutor arose:

"Gentlemen of the jury, you have heard, with due attention, the whole of the evidence we have in this case. It is committed to your decision, without argument on either side, in full assurance that justice will be done by your verdict."

The court—"Sheriff call a bailiff."

Several jurymen—"No bailiff is required."

The jury being called over and asked for their verdict, "*not guilty!*" was instantly pronounced. The spontaneous burst of feeling which even the grave authority of court could not suppress, told how much it was in accordance with the judgment of those who heard.

There were tears, manly tears, seen glistening in many an eye, as hands in succession grasped the hand of the venerable judge, in hearty congratulations.

Chief judge Dorsey presided—both the associates, Wilkinson and Kilgour, were upon the bench.

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We also copy the following from the Annapolis "*Republican*" to shew how our penitentiary is *peopled*. The guilty persons are nearly all foreigners—and two more will, undoubtedly, *enter* for perjury!

The accused have a right to remove their trial to an adjoining county, and they exercise it under the hope that, by the absence of witnesses or other *casualities* of the law, they may escape—*and also by direct perjury*. A man who removes his trial, *(of which the city pays the cost)*, unless under very peculiar circumstances, indeed, affords strong presumptive evidence of his guilt, and it is often the result of perjury—for he must swear that he believes he cannot obtain a *fair* trial in the place at which the imputed offences were committed; and many creatures so swear who are not known to a single person on the pannel that would try them! But they will take better care, hereafter, in doing so. The people of the neighboring counties have become sensible of their tricks, and the judges will punish them, by giving to them the *full amount* of the penalty of the law. In the present instance, they implicated their "dear friends"—who walked all the way from Baltimore, just to tell a good story about their characters!

Anne Arundel county court closed its April session on Saturday, the grand jury having been four days, and the court six days occupied, a considerable portion of which in despatching cases removed to this court for trial, from *Baltimore*. Of the eight criminals brought down, six were sentenced to the penitentiary. One (Jackson), had his trial deferred, and the other was acquitted, having, as we understand, agreed to give up the articles he had stolen upon condition, which he subsequently complied with. Donnelly, who had served *seven* years in the Pennsylvania and *eight* years in the Maryland penitentiary, is to take a *twelve* years tour this time, for accidentally getting into a wheelwright's shop, and, with the tools obtained there, quite as *accidentally* found himself, and was found intruding into a house without invitation. He goes two years for the first *accident*, and ten years for neglecting etiquette in the second case. Rout goes *twelve* years for lifting a bag of coffee. And so on.

Besides thus disposing of the cases removed for trial, two of the four *disinterested* witnesses who walked from Baltimore on Friday,* in order to be in time to give testimony in those trials, stand committed for perjury. After the one we mentioned in our last, another had the temerity to swear, and to add the assurance—only think of it—he swore that he was himself a printer!—absolutely a printer! and that he had worked for three months past in Duff Green's office. A gentleman of respectability, well known by the prosecutor, happened to be in court, who *had* worked during that period in that very office, was immediately sworn, and proved that he had never seen the deponent before, and on cross examination it appeared that so far from being a printer, he did not even know where the printing office was. Being rather hobbled by unexpected difficulties in his course, the witness now evidenced some anxiety to get out of the court, he had sought and made demonstrations towards the door, but Mr. Sheriff *Welch* and the officers were not disposed to allow the civilities of his visit to pass off without due acknowledgment, and insisted upon his remaining a few moments. On being asked by the court if he could give security for his appearance at October term on a charge of perjury. "Perjury! your honor? I don't think I have perjured myself." "The court think otherwise, and unless you can give security you stand committed for trial." On looking round the court he could recognise no acquaintance on whom to call, except one of the Baltimore police officers, whose face he recollected to have seen before, and *he* very significantly begged to be excused.

The two other pedestrians not liking appearances in court, had strolled to the college green, thence round the skirts of the creek and out of the city.

Since placing the above in type, we have been favored with a more precise statement from the docket.

State vs. *Thomas Rieley*. Indictment for stealing a camlet cloak, and a cloth coat. Verdict, *guilty*. Sentenced to the penitentiary for two years. Boyle for the state, Randall for the accused.

State vs. *Rout*. Indictment for larceny of a bag of coffee. Verdict, *guilty*. Sentenced to the penitentiary for twelve years. William Skelton Allan, a witness for the accused, was committed to prison for *perjury*, to stand his trial at the next term. Boyle for the state, Randall for the prisoner.

State vs. *William Boyd* alias *William Bread Boyd*. Indicted for stealing a bag of coffee. Found *guilty*, and sentenced to twelve years in the penitentiary. In this case, Michael Germain, a witness for the accused, was sent to jail for trial at the next county court, for *perjury*. Boyle for the state, Randall for the accused.

State vs. *William Donnelly*. For breaking open the store of Davidson & Mills, in the night. *Guilty*. Sentenced to the penitentiary for ten years. Boyle for the state, Duckett and Culbreth for the prisoner.

Same vs. *Same*. For stealing sundry tools. Verdict *guilty*, and sentenced to the penitentiary for two years. Boyle for the state, Duckett and Culbreth for the prisoner.

State vs. *Charles Myles*. Stealing two pounds of butter. *Guilty*. Sent to the penitentiary for two years. Boyle for the state, Randall for the accused.

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*The following is the case alluded to—

A man took the pains to start early and walk all the way from Baltimore so as to be in time to give his testimony yesterday morning in our court, in a trial for theft, which had been removed from Baltimore city court. He was proceeding to paint the character of the unfortunate accused just to his own fancy, having known him intimately, and constantly associated with him for at least three years past, when a most embarrassing interruption was experienced by the inquiry, "how can that be possible, as you have just been released from more than that length of servitude in the penitentiary?" The disinterested witness stood astounded by a committal for perjury, with which he stood detected in open court, as a reward for his *pains*, after which the trial of his intimate friend proceeded.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞"*Exchange papers.*" We *must* again, reduce our exchange list. The business of the office, as it regards the editorial department, has again devolved solely on the editor, and it is hard work to keep up. The reception of a paper involves a moral necessity of looking over it—and it consumes too much time. Those who, after the next publication, do not receive an "exchange"—will please to consider it as evidence that we are compelled to decline one with them.

—

By an arrival at New York, we have accounts from *Paris* two days later than heretofore received, and it seems that Mr. *Rives'* ill-advised boastings, as well as Mr. *Livingston's* threats, are up in judgment against us: but still we hope that the *justice* of our claims will cause them to be acknowledged, and paid, by France. It has been a strangely managed affair, from the beginning to the—*present day*.

We insert various papers and speeches belonging to this matter—which, we think, are highly interesting; as well because of the facts stated, or assumed, as to shew the *manner* the subject is treated in the chamber of deputies.

—

We have looked over, and partially examined, a large quarto volume, called the COMPREHENSIVE ATLAS, by Mr. *Thomas G. Bradford*—who was an assistant editor of that valuable work, the "American Encyclopedia." It is, indeed, what its title purports it to be—"*Comprehensive.*" It relates to the earth, and its inhabitants, and most things that it contains, introduced in a very neat and satisfactory manner. It contains about 80 maps and other plates, clear and cleanly drawn, and beautifully engraved, and generally colored—with a letter press description of the geographical, statistical and commercial, and other facts that belong to the countries, or things, laid down upon them. Neatness is its leading characteristic, if accuracy be excepted; and the facts set forth are brought down to a very recent period. It appears to us that there is every thing in this work, (as to the subjects to which it relates), that can be desired, or expected, for reference to; and we heartily recommend it to our friends as a mine of useful knowledge.

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The president of the United States has issued a proclamation saying, that as *Prussia* and the *Grand Duchy of Mecklenburg Scheverin* have no discriminating duties against the United States, our discriminatory duties are abolished with respect to those countries.

—

BALTIMORE AND OHIO RAIL ROAD.

Transportation by the Baltimore and Ohio rail road company for April, 1835, *viz:*

Eastwardly.

	Tons.	*cwt.*	*qr.*	*lbs.*
28,524 barrels of flour, weighing	2,750	9	2	14
Other commodities	1,740	14	3	7
Total	4,491	3	5	21

Westwardly.

	Tons.	*cwt.*	*qr.*	*lbs.*
6,097,280 lbs. dry goods, groceries and merchandise, generally, or	2,722	13	0	0

Revenue from tonnage	$18,357 05
Do. do. 6,428 passengers	7,307 37
Total for April, 1835	$25,664 42

Comparative revenue.

For April, 1834	$16,889 64
For April, 1835	25,664 42

[*Gaz.*

[This is 173 tons passing eastwardly, every working day in the month—and 105 tons westwardly. There is said to pass westwardly, from Philadelphia, 150 tons daily—"since the canals have been opened." It is probable that next autumn, (if business shall be as lively as it was in the present spring), the road being opened to Winchester, in the great and rich valley of Virginia, and the road to Washington completed, as both will be—that we shall send westwardly a greater amount than now passes from Philadelphia. What will be the amount, sent off, and received, when our *single* canal shall be completed to *Cumberland?* The increase of revenue, more than one-half, compared with April, 1834, is very handsome.]

—

Papers have been received at New York to the 30th April, from *Bermuda*. The legislature of the colony convened the 27th. The governor, pro tempore, in his speech at the opening of the session, said:

It affords me much gratification to be able to state, that the great measure of granting unqualified emancipation to the slaves, which engaged the attention of the legislature during its last session, has been followed by no interruption of the public tranquillity. Since the abolition of slavery, there has been no perceptible increase either of crime or vagrancy in this community, and I confidently hope that the liberal course, so unanimously adopted by the legislature of Bermuda, will tend to the general prosperity of the colony.

—

The work of deepening the channel and improving the navigation of the Hudson, below Albany, is commenced in earnest, under the superintendence of captain *Talcott*, of the United States corps of engineers. Among other preparations sealed proposals are invited for furnishing "four steam dredging machines, capable of raising from a depth of twelve feet, and of discharging into lighters, sixty tons of sand per hour."

—

The amount of tolls received on the Pennsylvania canal and the Columbia rail road, during three successive weeks, were—

For the week ending	April 18th,	$20,514 19
Do.	do. April 25th,	20,373 32
Do.	do. May 2d,	21,687 81
		$62,575 32

This evidence of the beneficial results already accruing from their great state improvements, ought to be highly satisfactory to the people of Pennsylvania.

—

The Baltimore and Port Deposite rail road will be immediately commenced, and pursued with much spirit. The engineers were appointed on the 12th inst. and are already on duty. Some 15 or 20 miles of the road were located a considerable time ago, and the work upon it will commence in ten days! The part of the line between Port Deposite and Wilmington is going on handsomely—and that between Wilmington and Philadelphia is being surveyed. It appears probable, that, *within two years*, there will a line of rail roads from *Washington* to *Philadelphia*—and from Philadelphia into the valley of *Virginia*.

—

The navigation at Dunkirk, on Lake Erie, was open on the 8th of April—and that to Buffalo, on the 8th of May.

From a correspondent at Oswego, dated May 6.

The schooner Stephen Girard, of the port of Oswego, belonging to Messrs. Cole & Wright, arrived last night from Cleaveland, Ohio, with a full cargo of wheat, after a passage of seven days. She has gained the prize of $100, offered by the Welland canal company to the first vessel passing with a cargo of wheat, flour or pork, from Lake Erie to Lake Ontario. The wheat is already being manufactured into flour, at the flouring mills belonging to the same gentlemen, and most of it will to-morrow be shipped for New York. Thus, by the Oswego and Wel-

land canals, Ohio wheat has been received, and will be manufactured into flour, and in all probability be delivered in New York, and also goods conveyed from New York by the same route, will have been received in Cleaveland, before other routes are available.

[*Albany Argus.*

The New Orleans Lou. Advertiser, states that, by a resolution of the city council, the mayor is required to purchase for the use of the city, "*cotton seed oil.*" This article it said to be decidedly superior to the best sperm oil. There is now a mill for the manufacture of this oil at Mobile and another at Natchez. During the past session the legislature incorporated a company, entitled the Cotton Seed Oil Factory and Insurance company, the subscription books for which will shortly be opened, and a factory will be established in New Orleans, which it is expected will go into operation in the month of October.

The legislature of *Rhode Island* met at Newport, on the 6th instant. In the house of representatives, *Henry Y. Cranston* (a "staunch whig"), was elected speaker, on the first ballot, by a majority of three votes—one of the "Jackson" members being absent—against *William Sprague*, jun. A committee was then appointed to count the votes for governor, lieutenant governor and senators. It was composed of an equal number of both parties; they "agreed to disagree," in the first instance—and some one named Mr. *Sprague* as the arbitrator—but he was promptly voted down. The committee finally reported; as follows:

The majority of gov. Francis, (Jackson) is	102
" " " Engs, lieut. gov. (whig)	19
" " " Almy, senator, (Jackson)	11
" " " King, do. (whig)	26
" " " Weeden, do. do.	17
" " " Cory, do. (Jackson)	4
" " " Steere, do. (whig)	7
" " " Dimon, do. do.	198

The seats of four senators are vacant—no choice having been made. They run so close that a few scattering votes rejected them, and there is no provision for another election. The lieut. governor, is, *ex officio*, a member of the senate, and the count stands, (all the members being present), a whig majority of three in the senate, and of two in the house—so that a whig senator of the United States will be chosen. The senators were qualified and took their seats, being notified of the result.

Great exultation and great mortification followed these proceedings—extraordinary excitement prevailed during the sessions of the "grand committee" to count the votes.

What does the editor of the "Globe" *now* think of the scandalous and false article that appeared in his paper of the 27th April?—He accused us with wilfully misstating the facts, as to the result of the election in Rhode Island, to influence the elections in Virginia—saying that when the polls were closed in the latter, we would give up the former; whereas we said nothing about the matter of our own, and published *equally* the assertions of both parties. "Mendez Pinto was but a type" of that man.

The New Haven Register gives the official canvass of the votes at the late election in that state. For governor Edwards, 22,129; Foot, 19,835; scattering, 757. Majority for Mr. E. 1,537.

Votes for members of congress.

Isaac Toucey	21,262	Noyes Barber	18,931
Samuel Ingham	21,289	John M. Holley	19,170
Zalmon Wildman	21,220	Ebenezer Jackson, jr	18,318
Andrew T. Judson	21,160	Joseph Trumbull	18,649
Launcelot Pheips	21,059	Samuel Tweedy	18,881
Elisha Haley	21,019	Ebenezer Young	18,888

The *Albany* election is over. The "whigs" have a majority of 103 in the city—*ten* against *nine* of the members of the corporation, and a *tie.*

The Richmond "Whig" thus classes the members elect of the assembly of *Virginia*—

Van Buren	68
Anti-Van Buren	57
White anti-Van Buren	9

And adds—

"It will thus be seen, that in the house of delegates, those enumerated as Van Buren men, outnumber the whigs and friends of judge White, *two votes.* Many *professing* White men, however, are numbered among the Van Burenites.

"The whigs contest the elections in Henrico, (with the certainty of getting it), in Powhatan and Campbell. The Jacksonians contest in Patrick, Albemarle and Fauquier, and perhaps other counties. The number of contested elections is an index to the close division of parties."

The "Enquirer" divides the house thus—republican 78, whig 56; and says that there will be "a decided *Van Buren* majority."

There have been great speculations in flour. At New York it suddenly run up from 5 dollars to 7—but has since receded to $6½, or less. It sold in Baltimore, on Tuesday last, at $6 12½.

Merchants' bank of Baltimore. The books for subscriptions to this bank were closed yesterday. We have been politely favored with the following returns of the amount of stock subscribed each day—presenting the enormous aggregate of 364,133 shares, exclusive of what has been subscribed in the several counties.

Number of shares subscribed to the Merchants' bank of Baltimore, on the respective days of the opening of the books, from Monday the 4th to Thursday the 14th, at the Baltimore House in the city of Baltimore.

Monday, May	4	10,936	shares.
Tuesday,	5	2,216	"
Wednesday,	6	1,896	"
Thursday,	7	4,957	"
Friday,	8	2,197	"
Saturday,	9	9,675	"
Monday,	11	28,989	"
Tuesday,	12	38,600	"
Wednesday,	13	50,556	"
Thursday,	14	214,111	"
In all		364,133	"

On each share $10 were paid, making the gross amount received, *three millions six hundred and forty-one thousand three hundred and thirty dollars!* [*Chron.*

[The subscription will probably be for five hundred thousand shares!—only 20,000 being required; or about one share to 25 names!

Independent of the spirit of speculation, which has entered into every thing—this great competition was promoted by many other causes, especially a powerful subscription from the east, and, perhaps, with a view to the selection of officers of the bank. One gentleman of Baltimore, on the last day and hour, subscribed for more than 50,000 shares—paying down the first instalment.

The farce of getting names for proxies, is fully shewn in this matter—and the wickedness of it, too: for some have been held for perjury, in swearing that they had seen the persons sign their names individually, though evident that it was done by one hand, and as fast as they could be written!]

The following shews the "*beauties of the press*" in New York—

The New York *Evening Post* calls the *Times*, a paper of the same politics, "*a sucking pig in the stye of the Albany Argus.*" This is going the "whole hog"—stye and all!

The following, in England—

"The Age," more remarkable for its coarse invectives than wit, designates the lords Brougham and Durham, as "the fallow-faced lord of Nose, and the sallow-faced lord of Coals."

The following is fine specimen of genuine "democracy:"

In the Boston Statesman of July 11, 1828, appears a choice paragraph, which we commend to the attention of the parties interested:

"When *Daniel Webster* was on a farm doing that sort of work that *John Randolph's* NEGROES are now about.

[*Boston Atlas.*

The "Journal of Commerce" says—

In an encyclical letter under date of 23d June, 1834, addressed "to all the patriarchs, primates, archbishops and bishops" of the Romish church, denouncing the work of the Abbe de la Menais entitled "The Words of a Believer," his holiness says: "By a new and wicked misrepresentation, he (the Abbe) speaks of the power of *princes* as contrary to the divine law,

and even, by a monstrous calumny, as the offspring of sin, and the power of Satan; and he applies to the pastors of the church the same defamatory epithets as to princes, on account of a criminal alliance, which he pretends has been formed between them against the rights of the people. Not content with this audacity, he *proclaims an entire freedom of opinion, of speech, and of conscience.*"

Is it possible that this is a fair extract from the letter? Is the pope so far behind the spirit of the age, as to call it "*wicked*" to doubt the power of "princes;" to say that it is the "*offspring of satan?*"—*that it is "audacious" to proclaim an entire freedom of opinion, of speech, and of conscience?*" It would seem an outrage on common sense and common decency. HE HAS NO BUSINESS WITH SUCH THINGS.

—

The *Cincinnati Gazette*, of the 23d ult. says—

The daily markets, of our city, present almost every article at an advanced price, beyond any thing heretofore known at this season of the year. Fresh butter has commanded fifty cents per pound. Eggs maintain about ten cents per dozen. Potatoes average, by retail, one dollar fifty cents per bushel. Fowls, fish—all things, in about the same proportion to former prices. Oats, corn, flour, beef, bacon, mutton, veal, vegetables, all scarce. The weather dry, cold, discouraging. The last year's crop well exhausted. Very indifferent promises for the present year. The fruit not yet seriously injured.

Business unusually active. The price of labor advancing, except among printers, lawyers and merchants. Real estate also commanding advanced prices. An excellent time for capitalists to make investments. Houses building, rents advancing. Let buyers and sellers take care.

—

We have never known a season, says the *Buffalo Whig*, when articles of food generally were so high as at this time, with us. In the midst of an agricultural region, and a bountifully producing one, too, we are paying exorbitantly for many productions of the soil. Flour is from $5 50 to $6 per barrel; potatoes sixty-two cents per bushel; butter sixteen to nineteen cents per pound; white beans, dried fruit, &c. usually abundant, are not to be had. Some of this, we suppose, may be charged upon the bad condition of the roads, but certainly not all. Potatoes are short, from the great numbers that were lost by the severe weather in winter, while the ground was bare. In some neighborhoods full one-third the stock on hand was frozen or lost. Indeed, the earth froze to an unusual depth, the past winter, throughout this region. But yesterday we saw a laborer forcing a pickaxe, with great difficulty, through the frost in earth he was removing from a cellar. But, few potatoes as we have, we are to share them with the west. Many hundreds of bushels have been bought for shipment, and are destined for Chicago! So rapid has been the accumulation of people at that point and vicinity, that provisions for them are not to be had, except by importation; and prices now, we are told, are such as to bear shipping from here—dear as we are paying for our dinners.

—

The 8th annual fair of the American Institute, at New York, for the exhibition and sale of American manufactures, will be held in October. It is mentioned that time may be given to prepare for it, at the most distant places, and we hope that it will be fully attended.

—

William Adams, who was tried at the present term of the district court in Baltimore, and convicted of the murder of capt. Tilden, was sentenced on Saturday last by judge Glenn. The time fixed for his execution is Friday, the 29th instant.

—

Dr. *Adam King*, editor of the York (Pa.) Gazette, put a period to his existence last week. He had been several times elected to congress, &c.

—

A great fire has happened at *Wilmington*, N. C. in which the loss is estimated at 70 or 80,000 dollars. Among the buildings destroyed were a steam rice mill, and the great steam planing establishment, with a large quantity of boards and naval stores—the fire broke out on the roof of a stone warehouse, near the planing machine.

A fire has also taken place in the lower part of Philadelphia—property destroyed from 12 to 18,000 dollars.

—

The Commercial List and Philadelphia Price Current, to which we were indebted for the facts stated a few days since on the subject of the Pennsylvania coal trade, gives, in connexion with that subject, the following account of the value of the fuel consumed in the city of New York and the city and county of Philadelphia during the years 1830 and 1833. In New York in 1830, wood of all kinds, $493,085 86: coal, anthracite, bituminous and charcoal, $321,731 86: total value $814,817 71. In 1833, wood, $631,250, coal $496,180 16; total $1,187,430 16. In Philadelphia, 1830, wood $612,192 11, coal $308,400; total; $920,592 13; in 1833, wood $741,321 18, coal $404,401; total $1,145,722 18. The total increase indicated by the above statements during the period mentioned, amounts in value to near six hundred thousand dollars. It was upon this augmentation, that the estimate of the increase of the coal trade for some years to come, was made by the editor of the paper we have mentioned, whose account of the details of this trade is very full and interesting.

—

Mr. Willard, the architect, informs us that a great effort will be made to complete the *Bunker Hill* monument during the coming season. It is intended to carry it the full height of 200 feet, and we hope there is money enough to effect this object. The weather, so far, has been quite unfavorable. If we should have good weather, we shall expect to see the work advance rapidly, in the course of a month. [*Bunker Hill Aurora.*

—

The *Columbus, (Ohio), Hemisphere* says—

Gov. Lucas, the commissioners, col. Hawkins, &c. returned to this city last evening May, 5th. There is, we are informed, a perfect organization over the disputed territory by the government of Ohio; and about 40 miles of the line run between Ohio and Michigan. The whole line is about 70 miles in length.

The interruption of a lawless mob from Michigan has prevented the completion of the survey, and the governor has very properly decided to convene the legislature as early in June as possible to make provision for securing the peace of the citizens of Ohio, and to sustain the commissioners in completing the survey.

Mr. Fletcher, is still in custody at Tecumseh. All the rest gave bail and were released. Mr. Fletcher refuses to give bail, or plead in the case. His keepers, it is suggested, are already tired of his obstinacy and do not know exactly what to do with him. Our Michigan brethren should have learnt at an earlier day, that it is easier to get *into* a scrape, than to get *out* of it.

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The legislature of *New York* on Monday last adjourned *sine die*, after a session 126 days, during which they had passed 311 acts, either public or private. Notwithstanding the hue and cry about "monopolies," the legislature have passed over *fifty acts of incorporation.*

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Five persons were burnt to death at New York by a fire that happened at 2 o'clock on Tuesday morning.—They were an Irish family.

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The land on which Cincinnati, Ohio, stands, was sold within 40 years for 47 dollars?

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The *Cincinnati Whig* says—

It is surprising with what rapidity towns sometimes spring up in the United States. In illustration of this, we instance the town of Wetumka, on the Alabama river. Scarcely any body in this region of country has ever heard of the town of Wetumka; yet it is already a place of very considerable size and importance. Two years ago the site of Wetumka was a wilderness, but now it contains *twelve hundred* inhabitants, and is rapidly on the increase. It has its newspaper, public houses, literary societies, and all the other concomitants incident to a flourishing place. It is represented as being a town of considerable business, and affords a good market for large quantities of cotton.

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Alexandria, (Lou.) April 8. A remnant of several broken tribes of Indians are to be found wandering about in most parts of our state. Their condition is truly miserable, as time has proved it to be impracticable to reconcile them to the customs of civilization. The following occurrence is an evidence of the tenacity with which they still adhere to a law that prevailed with their respective tribes, and, we believe, now prevails with most of the tribes in North America. When an Indian is slain, the murderer is, in turn, killed by the nearest relation of the deceased. In accordance with this custom, several years ago, an Indian was brought to this place to be offered up as a sacrifice to the manes of another Indian whose life he had previously taken. The nearest relation of the departed appeared to perform the part of the executioner; but the sympathies of the whites becoming enlisted, they interfered and deprived him of his gun. The intended victim sat by the side of his grave with

perfect composure, and insisted on his execution. As the hour appointed for execution was drawing to a close, the relation of the deceased, becoming frantic from disappointment from having been deprived of his gun, seized a spade, with which he executed his deadly purpose before any timely interference could be effected. A brother of his victim, at that time a lad about fifteen or sixteen years old, was exceedingly enraged at the manner of execution, and threatened to be revenged. This threat was put in execution near the same spot, a few nights since, by killing the avenger. But the life of the last slayer was doomed to atone for this act, and he himself was offered up a sacrifice the very next day.

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There was a balloon ascension in Baltimore last week. Mr. Mills, with Miss Phillips, started from Fairmount at 32 minutes after 4 o'clock, P. M. and at 20 minutes past 6, (the weather being squally), descended in Peach Bottom township, York county, Pennsylvania, near the Susquehannah.

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At the circuit court holden last week before the chief justice, at Freehold, in Monmouth county, Miss Ann Horner recovered, against Thomas C. Harrison, esq. a justice of the peace, $2,000 damages, for slanderous words repeatedly spoken of her by him. So bare was this case of every circumstance that could in the least excuse or mitigate his conduct, that his counsel, with great propriety, refused to address the jury in his defence.

[*Newark Daily Adv.*

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The English language, according to Mr. Cardell's account, is composed of

6,621	words	derived	from	.....	Latin,
4,361	"	"	"	.....	French,
2,078	"	"	"	.....	Saxon,
1,288	"	"	"	.....	Greek,
760	"	"	"	.....	Dutch,
229	"	"	"	.....	Italian,
117	"	"	"	.....	German,
11	"	"	"	.....	Gaelic,
85	"	"	"	.....	Spanish,
18	"	"	"	.....	Arabic.
15,468	words.				

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That portion of the "Bay State," known as the Old Colony, consists of the three counties of Plymouth, Bristol and Barnstable, and contains about 120,000 inhabitants. At the recent session of the courts in those counties, after a vacation of three months in one, four in another, and seven in the other, there were but two indictments in the whole of them, and each of these for petty larcenies of less than ten dollars in amount, and not a single indictment has been found for any aggravated offence, or any that would subject the offenders to punishment in the state prison. It is not likely that a parallel state of society could be found in the world. [*N. Y. Courier.*

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It is said that the gold mines of the southern states will yield this year two millions of dollars.

The laborers at these mines afford a valuable market to the producers of corn, pork, &c. in the parts adjacent which do not produce gold—but, in general, it is as profitable to supply the diggers, as to dig for gold.

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On the 5th inst. a gentleman who has arrived at New York, crossing the Green mountains of Vermont between Brattleborough and Arlington, the stage came nine miles upon *runners*, the snow being about three feet deep on an average, and in many places over five feet by measurement.

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The Eastport Sentinel, of 29th ult. says, "Spring appears to have set in in right good earnest at last." And then adds, by way of particular notice—"The above was written before it commenced *snowing* yesterday! We give up on the weather."

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The public mind being at this time directed with considerable interest towards the town of Chicago in Illinois, as a place destined to take rank very soon among the first commercial cities of the west, a few remarks relating to the prospects of this place may not be uninteresting to the public:

Chicago contains at present between three and four thousand inhabitants. Three years since it was only a military station. The state is rapidly settling with emigrants of industry and character as well as of means, and will soon out-run Ohio! Chicago is one of the finest harbors on Lake Michigan, and there cannot be a finer one any where: twenty to twenty-five feet of water in front of the town, and completely embayed from any lake winds; and at the same time the town is not half a mile from the lake. Nature has done every thing to render Chicago the finest city of the west. It will command the trade of the Illinois river and Mississippi by means of the canal; and the west and east by the navigation of the lakes, and, as Hoffman says in his winter in the west, it is destined to be the New Orleans of the west. [*Com. Ad.*

It is stated, that New York has extended her long-armed speculation to Chicago—and that about 150 *building* lots, 40 feet front, and of a suitable depth, have been sold in that city, for 300 or 400 dollars each.

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Public sales of wool, at Boston.

The sale of foreign wool was well attended at Quincy Hall, and about 100,000 lbs. of Saxony, found ready purchasers at a fair profit on the cost of importation. The wool was of superior quality and in excellent condition. The extreme prices were 75c, and 142c, average about 96c. At these rates, the manufacturers prefer this wool to American fleeces, at the prices which they now command in market. A large quantity of wool of similar description to the foregoing is now on the way to this country, from England and Germany, and further public sales will soon take place. Twenty bales Saxony lambs were sold at from 71c a 127c. 100 bales washed Peruvian at 42 a 44c. 40 bales Magadore at 13¾ a 15c. 130 bales unwashed Barbary and Smyrna at 9 a 14 c. 30 do. unwashed Grey, 9 a 11c.

There seems to be a large supply of wools at Boston, and of almost every quality—from such as electoral Saxony at 142 cents, to Odessa at 10 cents.

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Through the perseverance of Messrs. *Williams* and *Wilbe*, of the Baltimore police department, two men were arrested on Thursday afternoon in Howard's park, old offenders, who had buried a number of the *tap screws* attached to the fire plugs, (thirteen in number), which screws have been for a long time taken off, and no account could be given of them.

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According to a report a short time since submitted to the British house of commons, the troops in Canada in 1833, amounted to 2,900 men—in Nova Scotia, New Brunswick and Newfoundland, to 2,745—the whole number in British North America, 5,649, at an annual expense of £96,853.

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The Prussian Gazette of the 12th ult. has the following statistical account of the number of pilgrims in the course of that year from Russia: 162 Christians to Jerusalem and Mount Athos, 351 Israelites to Palestine, and 51 Mahometans to Mecca.

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Dr. *Noah Webster*, in a communication to Silliman's Journal, gives an account of some extraordinary cold winters:

In the year 400 the Euxine was covered with ice for 20 days. In 859, the Adriatic was covered with ice; but for what length of time does not appear. In 929, the Thames was frozen over for 13 weeks: the same river was also frozen over in 1263, 1269 and 1607–8. Several times since the same has happened, though not mentioned by Dr. Webster. In 1642, Boston harbor was so locked by ice, that teams passed from one isle to another, and the ice extended so far into the sea that no water was visible from the town. The winter of 1683 was so severe in Europe, that trees were split by the frost. Loaded sledges passed on the ice from Boston to Nantasket in the winter of 1696–7. On the 12th December, 1708, the frost in New England was so intense, that trees were killed. A fall of snow took place in February, 1717, so deep, that people in Boston had to get out of their chamber windows. Eleven hundred sheep perished on Fisher's Island, from being buried 16 feet in the snow: two were found alive after a lapse of 28 days, they having supported themselves by chewing the wool of the others. In 1780, the Chesapeake was covered with ice as far as the mouth of the Potomac. In the same year, troops of horse and heavy cannon crossed on the ice from New York to Staten Island; and Long Island sound was nearly covered with ice. Almost all the birds of the forest perished.

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The *Ottoman Monitor* of Feb. 28, contains the following article, which shows that the sultan has granted to his Jewish subjects the same rights which have been enjoyed by the several sects of Christians:

"Hitherto the Jews of the Ottoman empire have elected and deposed their grand rabbi without laying before the sublime porte the motives of the changes, or rendering any account of their actions. It has, however, now been settled by the chiefs of this nation that, henceforth, the election and deposition of

the grand rabbi shall not take place without the government being acquainted with it; as equality of rights necessarily infer equality of obedience. The grand rabbi, who was born at Gassy, the capital of Moldavia, having been deposed and replaced by his vicar, the new rabbi, on the day of his election, went to the porte, which invested him with the caftan as a mark of distinction, and thence to the sultan, who admitted him to an audience, and bestowed upon him the insignia of the order of honor, set in diamonds."

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Average of the liabilities and assets of the bank of England, from the 16th December, 1834, to the 10th March, 1835, inclusive, published pursuant to the act 3 and 4, W. IV. cap. 98, sec. 8.

Liabilities.		*Assets.*	
Circulation	£18,311,000	Securities	£26,657,000
Deposits	12,281,000	Bullion	6,536,000
	£30,592,000		£33,193,000

Downing street, March 12, 1835.

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The large amount of 13,050 persons emigrated from *Bremen*, only, between March and November, 1834—and arrived in the United States.

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The French brig Amiable Josephine, of two hundred and twenty tons, commanded by M. Bureau, was taken by the natives at the Fegee Islands, and all hands massacred.

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The *priests of Mexico* have assisted Santa Anna with money. This is a bad sign—for these take good care to charge a high *interest* upon it!

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Extract from a letter of Mr. John Barlow, one of the most experienced and distinguished engineers of London, dated on the 27th February last:

"There is one source of revenue to a coal gas company, fast coming into practical effect here, which promises to be of great importance, namely, *cooking by gas;* I know one family who have used no other fuel for cooking for the last two years, and another who for several years have never lighted any other fire in their house, for any purpose whatever, than gas, during the three or four hot months, and they both say it is cheaper, more convenient, cleanlier, and the cooking better. Hundreds, and probably thousands of families will, in this country, be supplied with gas for cooking during the ensuing summer. They now roast, bake and boil by gas. The heat is always ready when wanted, and is extinguished when it is no longer required: no dust, no preparation, nor any cleaning up afterwards; the cook can leave a joint of meat either roasting or boiling, and never look at it again till the clock informs her it is time to take it up. I know a family who regularly put their meat down, and all go to church on Sunday, locking the house up, and leaving a capital dinner to the care of the gas. I dwell on this subject a little, because in my view, it is very important, and it behoves directors and shareholders to give it every encouragement."

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THE QUARRELS OF BENEVOLENCE. The following is a liberal exemplification of the doctrine of *provoking* one another to good works. We take it from the Cazenovia, New York, Monitor:

A strife, of rather an unusual character, was carried on in Buffalo during the last cold weather. The mayor, Ebenezer Johnson, gave public notice in the city papers, on the 10th February, that he would furnish 25 cords of *wood* to such poor families as were unable to supply themselves, with a proviso, that "none need apply whose poverty has been caused by intemperance."

This brought out Manly Colton, esq. on the 18th, who gave a like notice, that he would give "to the shivering mothers and children of the city, who have become poor and destitute in consequence of the beastly crime of intemperance on the part of their protectors," 25 cords of *wood*.

The next day, O. H. Dibble gave notice that he would furnish 25 cords of wood to such families as were unable to purchase it, without requiring them to prove either that they are "beastly drunkards," or "that they have never expended money in intemperance."

The day following, Samuel Twitchell, jr. offered to give 25 cords of wood to such as were destitute, and unable to purchase, "no matter from what cause they became so."

On the same day, Alanson and Julia Palmer announced, that they would give one hundred dollars, in *provisions and clothing*, to the needy. They say, "It is enough for the applicants to be poor—we wish not to know the cause of their misfortune, but wish all to be temperate, industrious and happy."

John Wheelock, a butcher, also gave notice on the same day, that he would give to the suffering poor of the city, 25 pounds of beef, for every cord of wood that the mayor should furnish—and would "not go into a detailed examination of how they became needy."

ITEMS.

United States bank stock $112 50, and is rising.

The bank of Delaware has declared its usual dividend of 5 per cent. for 6 months.

Fifty thousand, three hundred and fifty-three shares were subscribed in Philadelphia, to the capital stock of the Northern bank of Kentucky!

In a letter, speaking of the product for the present year of general Hampton's sugar plantations, the writer says—"The amount of sugar made is 1,700 hogsheads, which are sold at the plantation at 7 cents per lb.—producing about $120,000!"

The whaling company of Wilmington, Del. is to increase its capital—2,000 shares for Philadelphia, and six hundred and sixty-six for Wilmington. It has one fine ship at sea.

A lady of New York sent for Godfrey's cordial and received *laudanum*. She gave it to her child, and it died!

The steamboat Thomas Jefferson lately made the trip from Norfolk to Richmond, and back again, three hundred miles, in eighteen hours. And the Norfolk Herald says—"This is the first demonstration that has been given of the practicability of going from Norfolk to Richmond and returning on the same day. Why, the lovers of our salt water luxuries, who live in Richmond, might leave home in the evening, do their marketing the next morning in Norfolk, and be at home in time to have their hog fish and sheepshead smoking on their tables at the usual dinner hour."

Mr. James Stewart, of Butler county, Ohio, was riding in a wagon with his wife and niece to Cincinnati, on Monday the 4th inst., and as they were passing a large tree which stood a short distance from the road, it fell upon the wagon and crushed the three of them to death. The horse escaped unhurt. The wind was blowing but gently.

A beaver was taken a few days since in Venango county, Penn. He is supposed to be the last of his race in that section of country, and when taken had a part of one foot off—supposed to have been cut by a steel trap in which he had formerly been caught.

The Pennsylvania state loan of 5 per cent. has been taken by the bank of Pennsylvania, at a premium of $12 02, for every $100.

The Boston Patriot states that mechanics are in great demand in that city—that masons, who work from sunrise to sunset, receive from $2 to $2 50 per day.

Butter is selling for fifty cents a pound in Louisville, Ken. and potatoes at $1 50 per bushel.

A colored woman is now in Louisville, Ken. who is said to be 161 years of age. She has been blind for 70 years.

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LAW CASE—IMPORTANT TO FARMERS.

A case was decided by judge Williams, at Dedham, last week, embracing principles affecting landlords and tenants, and creditors of tenants, in a manner worthy of being promulgated.

A creditor of a tenant attached and removed from the premises, the manure made in the ordinary way by him, and also attached and removed a fence procured and erected on the farm by the tenant, at the special request of his landlord, and to be paid for from the rents growing due, at the close of the term. The action was trespass against the officer for taking and carrying away the property of the landlord.

The defence rested upon two principal points—1st, that the manure was made by the tenant for his own benefit, and like other personal estate was attachable; and as to the fence, as the agreement between the plaintiff and his tenant was not inchoate, to be completed at the close of the term, the property belonged to the tenant and was liable to be taken to pay his debts.

The judge considered the points raised in the cause of sufficient importance to demand a deliberate opinion, and, after mature consideration, decided that if at the time of the attachment the fence was erected under such circumstances as satisfied the jury that the intention of the parties was that it should permanently remain, it became a part of the reality, and not a subject of attachment.

As to the manure, the judge laid it down as a general principle, that such as is made on a farm in the ordinary way, is made for the farm, rests upon the soil of the farm, is necessary to the farm and inseparable from it, and consequently not liable to attachment for tenant's debts. This decision is important to officers, that they may not buy wit too dear, and particularly to landlords, that they may understand the relation they bear to those who may occupy their lands.

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MIRACLES AT LUCKNOW. A second prince Hohenlhoe has appeared at Lucknow, in the person of Syyud Husn Kashmee, who lately returned from a pilgrimage to Kerbolah with the brother of the learned high priest of the Sheeahs, and who in consequence resides at court under the most favorable auspices. On his introduction to the royal presence, the king gave orders to set before him 21 trays of shawls and 6,000 rupees, but the Syyud, to see the word of our correspondent, "being a perfect man, and wrapped up in abstraction from

amount was appropriated, there would be no further application to congress. But the house of representatives reduced the appropriation to $300,000, and the present bill appropriated $340,000, being rather less than the estimate of last year. The passage of the bill, in this form, would be sufficient to put the road in that state of repair which would render it unnecessary for any future appropriation by congress.

Mr. *Buchanan* said that reasons both of a public and personal character would induce him to make some remarks on this bill. The Cumberland road had been a constant subject before congress, ever since he had first taken his seat in the house of representatives, in the session of 1821-2. A bill had passed at that session to keep it in repair, by erecting toll gates upon it under the authority of the general government, on which Mr. Monroe, then the president of the United States had placed his veto, because, in his opinion, congress did not possess the power, under the constitution, to enact such a law. He (Mr. B.) had then carefully examined the message of Mr. Monroe on returning this bill, and had been convinced that we had no power to pass any such act. From that moment he had steadily and uniformly, in every shape and form, opposed the erection of toll gates upon this road, under the authority of the general government. If congress do possess the power to enter the territory of a state—to interfere in their domestic concerns—to erect toll gates upon their roads—to establish a system of police over them, and inflict penalties for its violations, and of consequence to create tribunals before which these offences may be tried; then every barrier between federal and state authority is at once prostrated. Indeed, this principle would lead to perfect consolidation, so far as an entire jurisdiction over the post roads of the country, for the purpose of levying tolls to keep them in repair, could extend.

In this state of things there was one party in congress, who, although anxious for the preservation of the road, felt themselves bound to vote against all appropriations for its repair, on the principle of thus compelling its friends to consent that tolls for this purpose should be levied under the authority of the states through which it passes. Another party desired that it might be forever kept in repair by appropriations from the national treasury, without the collection of tolls either under state or national authority. And a third class of politicians were determined to push the doctrine of internal improvements to the dangerous extent of establishing the principle that congress not only possessed the power to appropriate money for the construction of roads and canals, but that they were also bound to assume a jurisdiction over them by erecting gates upon them, and demanding toll from the passengers.

In regard to myself, said Mr. B. I have been more misrepresented upon this question than I have ever been on any other. I have been constantly denounced as an enemy to the road, although I have never entertained a single hostile feeling towards it. Jealousy towards this great national work, because it might injure the Pennsylvania turnpike, has always been imputed to me; when, if I know myself, I am incapable of such a feeling towards such an improvement, so beneficial to the citizens of the country generally. For several years I voted for appropriations to repair the road, and I did not cease to do so until I discovered that if this course were continued, the peculiar friends of the road never would consent to the erection of toll gates under state authority.

In this conflict of jarring opinions the necessary appropriations could not be obtained for the repairs of the road. It got into a ruinous state, and became so dilapidated that its entire destruction was threatened. Its friends at length consented that it should be placed under the protection of the states through which it passes. To carry their wishes into effect, Pennsylvania in April 1831, and Maryland in January 1832, passed acts authorising the erection of toll gates upon it, and agreed to take it under their care, provided it "should be put in a good and complete state of repair" by congress. Virginia some time afterwards passed a similar act.

On the 3d of July, 1832, congress approved of these legislative acts, and appropriated $150,000 towards the repair of the road.

Here then was a contract expressly and solemnly made, first, that the road should be put in good and complete repair by congress, and then that it should be surrendered to the states for the purpose of its preservation. In pursuance of this arrangement, the engineer department adopted a plan for its repair. The road was to be Macadamized. There were to be three strata of stone placed upon it, each of three inches in depth. The repairs proceeded upon this principle. On the 2d March, 1833, the sum of $125,000 more was appropriated to continue these repairs. At the last session an estimate was presented to congress by the engineer department, stating that the sum of $652,100 would be required to complete the road; but congress only appropriated $300,000 for this purpose, less than half the necessary sum. The act granting this money also declared, that it was given for the "entire completion of the repairs of the Cumberland road east of the Ohio."

What have been the consequences? Just such as might have been foreseen by every reflecting man. The engineer department had adopted a fixed plan for repairing the road. This plan they had steadily pursued for two years. It was known or ought to have been known by congress. They were progressing gradually to complete the road; when, all of a sudden, without any previous notice, congress changed the plan, by granting less than half the money necessary for its execution. What was then to be done? It became necessary for the engineer to abandon his system, and spread the appropriation over the whole road. He has acted thus, and the result has been, that about sixty three miles of the road, has but one stratum of three inches of stone in depth, instead of three. Is there any gentleman upon this floor who does not know, not only that this is insufficient for a permanent road, but that as soon as the spring opens it will be cut to pieces by the heavy wagons and carriages. The metal, as it is technically called, will then be all in the mud. If the money now asked be not granted, the fatality which has always attended this road will continue to exist, and the last appropriation of $300,000 will be rendered nearly useless.

But, sir, the states through which the road passes have only agreed to take it off your hands, on the condition that you shall first put it in good and complete repair, and you have accepted these terms? Does any gentleman suppose for a single moment that the state of Pennsylvania will accept this road in its present condition? Is it in good and complete repair, according to the terms of the contract? Your own engineer answers no, and informs you that it will require the sum of $346,186 58 to complete the repairs, according to the plan adopted, and which is considered indispensable. This sum you will be obliged to grant, or you must keep the road in repair by annual appropriations—a course of policy which I presume no senator intends to adopt as a permanent system. There is no other alternative, unless you devote the road itself to destruction. This idea no gentleman can for a moment entertain. Toll gates to be erected by congress are now out of the question.

But it is said that the sum of $300,000 was appropriated at the last session for the entire completion of the repairs of the road, and that no more ought now to be demanded. Is there any force in this argument? In adjusting an account with individuals, where the claimant is an opposing party, it is very proper for congress to declare that the sum granted shall be in full of all demands. Unless under very extraordinary circumstances, I should not vote to reopen such an account, and grant an additional sum. But what are the facts upon the present occasion? Does not this road belong to the United States? Are we not bound by the strongest sense of public duty to keep it in repair? Here there is no opposite party with whom we can drive a bargain. It is our own road, and if we have not appropriated a sufficient sum for its repair, shall we suffer it to go to ruin because we have made a mistake in regard to the amount necessary for that purpose? If the simple declaration of congress that $300,000 was sufficient could have rendered it so, then there might be justice in the reasoning; otherwise it is a mere fallacy. After having granted a certain sum which was found by experience to be wholly insufficient to complete one of our fortifications, what should we say to a gentleman who would gravely contend that as we had declared this sum should accomplish the object, we would rather permit it to go to ruin than appropriate another dollar? The cases are precisely parallel. But this is not all. How can congress acquit themselves from their obligations to Maryland, Pennsylvania and Virginia by such an argument? They have a right to declare that this was not the bargain; that you agreed to repair the road; and cost what it may this object must be accomplished, or they will not accept its surrender.

The commissioners appointed under the act of the legislature of Pennsylvania have pledged themselves to us in the most solemn manner to accept the road, and erect toll gates upon it, as soon as congress shall appropriate the sum deemed necessary by the engineer department to place it in a state of good repair. That sum is granted by this bill. Pass it, and I will undertake to say for Pennsylvania that this perplexing question, which has so often and for so many years agitated congress, will be forever at rest. You will never more hear of this road, unless it be that it has been protected and preserved with the fostering care which that state exercises over all interests in which the welfare of her own citizens or those of the U. S. is concerned.

Mr. *Preston* said he recognised in this bill an old acquaintance. No less than three appropriations had already been made for the repair and completion of the road in question, and now a fourth was asked. Congress not yet being one jot the nearer, than at any former period, of getting rid of the road. At the last session, the senate, for the purpose of purchasing its own peace and quiet, of ridding itself of the matter, made an appropriation of $652,000. The bill being then sent to the house, it made a different estimate from what had been made in the senate, supposing that the road could be finished on the plan proposed, for $300,000. That sum was accordingly appropriated. Thus, the measure having passed both branches of the legislature in that form, it was undoubtedly deemed sufficient to carry the project into effect; and the senate, at least, was under the impression that that was the last occasion on which they would be called upon to make an appropriation. Yet, notwithstanding, here was another demand for an equal sum to that which was granted last year. There was a time, according to what had been said by the senator from Pennsylvania, when some hopes might have been entertained that an end would have been put to further legislation in regard to this road. There was a period when congress proposed, as was intimated by the honorable senator, to erect toll gates on this great road, for it was contended then that they had the constitutional power to do so. He (Mr. P.) believed, though he could not speak for the honorable senator, that those gentlemen who, at that time were in congress, and who were now bright and shining lights, believed very differently, though they had voted for that measure: they thought them unconsti-

itional. Gentlemen now could hardly be brought to enter-in such a notion. Your real Simon Pures of the republican emocratic old school believed that congress had no such pow-r. *If* congress possessed the right to establish internal im-rovements, it had also the power to take out of the treasury nds for the purpose of carrying them into effect. It must ve the improvements to the states in the end, for it could not eep them. For himself, he avowed he should feel most hap-y, if they could give this road away, and so get rid of it. But ufortunately they found themselves in the situation of the an to whom the senator from Tennessee the other day had luded, who took a quantity of coon skins to market, but could ot sell them. He then tried to give them away, and not suc-eeding, he then endeavored to lose them by dropping them as e despondingly sauntered along the road, but as ill luck ould have it, some kind man saw them lying on the ground, nd immediately called out to him; so that in fact he could nei-ier sell, give away, nor lose them. And this was pretty much e case with the senate in regard to this road. They were now, owever, about to make an appropriation in order to shake it ff their hands.

What was the situation in which congress stood? Why, it ad been compelled to pass appropriations amounting to the normous sum of $700,000 within a few years past, for the pur-ose of buying its riddance of the burden, and, after all, an ad-itional sum was now demanded at their hands.

He would be glad to know under what guaranty Pennsylva-ia would accept the road; whether on their voting an appro-riation of $350,000? Had the officers acting under the orders f government, and who were to see this road put in a state of epair, decided or given any opinion as to the actual state of he road? Not the party appropriating the money, not the party nder whose superintendence the money was invested in the oad, *they* had no right to decide on it! But, the parties who were now to *receive* the road when perfected, or in such a state hat they would take it. *They* cared nought about the quanti-y of money that might be expended in their own jurisdiction! No, not they.

Now, he should like to know whether these enlightened states, who were parties to the transaction, and who must feel some interest on account of the money that was now expended among them, did not desire to have as much money as possible in circulation? Most unquestionably they did. The honorable senator next adverted to the acts of the commissioners on the part of the government, who some time ago had been appointed to examine the road, and stated that dissatisfaction was ex-pressed by the parties interested in it, because those officers did not choose to incur what they deemed unnecessary expens-es in the orders which they gave for the proper repair of the same. They had recommended wooden bridges to be erected, and fault was found because stone was not preferred, (thus in-curring a very great additional expense). He (Mr. *Preston*) could have sincerely wished that instead of asking for the appro-priation which was then made, they had come boldly forward and requested a larger sum; for he would have then proposed to give them $350,000, and have said, "here, take this money and the road off our hands."

At present, congress were left entirely in the dark. It was desirable to get rid of it in some way or other. They were placed in an inexplicable difficulty, for turn which way they would, the objections were almost insuperable. Millions had been expended on that road, and it was not to the interest of these states that they should go on and appropriate money year after year, as had heretofore been done.

Mr. P. in conclusion, observed that he wished the honorable gentleman (Mr. *Ewing*) to say, on his responsibility as a sena-tor, that that should be the last time he would advocate any ap-propriation on account of the Cumberland road.

Mr. *Ewing* rose and said, that the senator from South Caroli-na seemed to have forgotten the origin of the appropriation, and had overlooked what was in justice due to one of the states of the union. It must be recollected, that when Ohio was admit-ted into the union, and her constitution was formed, there was inserted in it a clause appropriating two per cent. of the pro-duce of the sales of the public lands within her limits, for the making of roads leading to the state; and Ohio, in consideration of this provision, agreed not to tax the lands belonging to the United States for five years. Was that contract fulfilled by expending money on a road, without either maintaining it, or putting it in such condition as would enable the state of Ohio to maintain it? By making a road which was almost impassa-ble, the promise of the United States was kept to the ear, but broken to the hope. That was the state of things at this time, and the reason for asking the appropriation was this: The state of Ohio was originally separated from the eastern states by roads which were almost impassable. The transportation of goods over the mountains by wagons was exceedingly expen-sive. The roads were almost impassable, and it became ne-cessary for the western states to adopt some means of passing the mountains. The states of Virginia, Maryland and Penn-sylvania, being sufferers in a less degree, were less interested in this provision of means. At the time when the compact was made by the United States with the state of Ohio, it had become absolutely necessary, for the purpose of securing an intercourse with the states on this side the mountains. The first step to effect this, was taken by an administration which had never been charged by any one with a disposition to vio-late the rights of the states. It was taken in 1802, when Mr. Jefferson was the president. What then was due to the state which formed the compact with the United States? It was due not only that the road should be constructed, but that, by the power of congress, it should be maintained, guarded, and kept in sufficient repair: otherwise all the expenditures which had been made in the construction of the road would be a mere waste of money. The state of Ohio could not maintain this road; and, unless it was maintained by congress, it would be-come of no value, and the compact would not be complied with. The road would be dilapidated and destroyed, as well by the people of the other states of the union as by the state of Ohio, as there was great travel upon it by people from all parts of the union.

This national road had been made under such circumstances, and had proceeded under the circumstances he had named. The gentleman from South Carolina said, that there had been much money expended upon it. Well, and so there had been. It was not to be supposed that a road over the mountains could be kept up without expense. Was it expected that the people of the country through which it passed should maintain it? If it was a thickly peopled country, thriving in commercial pursuits, and cultivating a rich soil, it might be so. It contain-ed merely a gore of the states of Pennsylvania and Maryland. But neither of the states should be required to maintain this road themselves. It should be kept up in another manner. It ought to be maintained by tolls in the states where they are to be required to keep it up. The states were willing to take the road when it was in a state of repair, and it was right that the United States should put it in that perfect state of repair. The states would not be willing to take it, after it had been dilapi-dated and destroyed by the travel of the citizens from every quarter. It must be a road. It had been said that the states might cavil about different parts of the road, and might not be in favor of the road running to other states.

A great part of this road had been given to and accepted by the state of Ohio; and so far from laying heavy tolls, she had expended annually a considerable amount to keep down the tolls. The road was a favorite with the people of that state. Last year, according to an account of the auditor of the state, there had been an expenditure of 20,000 dollars on the road. It could not be doubted then, that the state of Ohio would keep the road in repair, if she accepted the surrender of it.

In reference to the estimate made for the repair of the road, the gentleman from South Carolina (Mr. *Preston*) would recol-lect that the estimate, and the sum asked for the last year, was 650,000 dollars. The advocate of the road had then said that this sum would be sufficient, and that they should ask no more if that sum were given. The question now stood precisely in the same light. If the money were appropriated and expended on the road, every assurance had been given that the road would be taken by the states, and that congress would be call-ed on no further. Such assurances had been given in every form, and he should think it his duty to rise, day after day, and assert the rights of the state of Ohio, until the road should be made perfect, and the state should have accepted its surren-der.

Mr. *Buchanan* said that he had but a few words to say. He did not know to whom the gentleman from South Carolina (Mr. *Preston*) alluded in the first part of his remarks; certainly it could not be to him, (Mr. B). Whether the senator had, since the year 1821, seen any new lights himself, he did not know. But for himself, since the session of 1822-3, he (Mr. *Buchanan*) had been uniformly consistent, in season, and almost out of season, in endeavoring to destroy, and so far as his humble in-fluence went, to explode for ever the dangerous doctrine in re-gard to the establishment of toll-gates throughout the union, under the authority of congress.

[Here Mr. *Preston* made a remark in an under tone, the pur-port of which did not reach the gallery].

Mr. B. continued. He had, with others, opposed appropria-tions for the repair of this very road, in order that the friends of it might be compelled to go to the states for the purpose of having toll gates erected under their authority.

But he did not think the honorable senator had read the documents with his accustomed care. What was asked now? He put it to that gentleman whether the state of South Caroli-na, occupying the high station she had always done, and which he trusted Pennsylvania always had done, and ever would do, whether, under similar circumstances, *she* would take the road under her charge, and undertake for ever to keep it in repair, when it was now in such a condition that it must go to ruin in the course of a year, unless an appropriation were made. That was the opinion of all the engineers on the subject. The fact was, and if the gentleman had examined the docu-ments he would have discovered it, that on more than sixty miles of the road there were but three inches of metal in depth. Now, it did not require much sagacity to perceive, that upon the opening of the spring, when heavy wagons and other vehi-cles passed over this part of the road, they must get into the mud; and the stones and other ingredients of which it was composed must become so mixed up together as to render it al-most impassable. In less than six months, this would be the case, should no appropriation be made, at this session, to com-plete the repairs. But Pennsylvania had relied on the estimate of the engineer department; she did so still. And could she be asked to take the road, when the officers of this government had declared that it was not in repair, and could not be put in repair without an additional appropriation? Would the gentle-

man ask Pennsylvania to do so? Did he not always do unto others as he would wish to be done by? Would he ask her to incur an obligation of that kind, when she could not discharge the duties arising out of the obligation? Why $600 and odd thousand, were asked for at the last session. If that sum had been granted then, the senate would never more have heard of the road. The mere balance of the sum contained in the bill that had passed the senate at the last session, and which was reduced by the house of representatives to $300,000, was all that was now asked for. And, so far as he could give the gentleman a pledge, in his place on that floor, he would promise that the sum which the engineers had demanded as necessary to put the road in repair, if granted, should be the last he would ever ask for, being determined never to vote again for another dollar on that account.

[Here Mr. B. read an extract from the memorial of the commissioners appointed under an act of the legislature of Pennsylvania to accept a surrender of the Cumberland road, and erect toll gates upon it, in which they pledge themselves that so soon as congress shall make the appropriation for the completion of the road, (not after the appropriation shall be expended, said Mr. B.) according to the estimate of the department, toll gates shall be erected without delay.]

Mr. B. resumed. That road would be accepted immediately on the passage of this act, because it provided for the sum estimated by the department, and the commissioners deemed it sufficient, and were willing to act on that belief. Supposing the gentleman had given his agent $1,000, to repair his house, and it was afterwards found insufficient, and that unless more money were expended on the building, it must fall into ruins, would he be willing to suffer the loss, rather than lay out more money in repairs? And that was precisely the case here. Well, then, they must repair the road now, or let it go to ruin, which he supposed no one contemplated, or they must be prepared to grant more money at the next session.

Mr. *Preston* rose to say a single word. It had been said, that, because congress had considered it a duty to make this road, there was an obligation involved to keep it up; and gentlemen thought they had a right to stand up in open daylight, and assert that the general government owed the duty to the states to maintain the road which they had thought it right to make. It appeared as if all the rules of private life were to be reversed in the affairs of government. He was astounded at the course which gentlemen seemed disposed to take. Because we had expended seven or eight millions on this road, were we therefore bound to keep it up? If we made a present of this road to the states, were we to be still bound to keep it in repair? If you gave a horse to the state of Ohio, was it due to your reputation, that you must feed him, and saddle and bridle him for the use of the state? As he understood the matter, the contract made with the states was to make the road, not to keep it up. The gentleman from Pennsylvania, in illustrating his own views, had put the question—if I employ an agent to build a house, and, after he has expended the amount allowed him, the house should be falling down, would I not advance more money to preserve it? The case was not parallel. This road was not our road. It was the road of Pennsylvania. It was not that we enjoyed any benefit from the road, but Pennsylvania. We had authorised the state of Pennsylvania to collect tolls on the road for the purpose of keeping it up, and had thus put into her hands the means for keeping it up. Gentlemen were therefore mistaken in supposing that congress had imposed burdens on the states without giving them the means to sustain them. Because the people of all the states travelled on this road, it was not rendered incumbent on the United States to keep it up. If there was such an amount of travel as had been described, the toll-gates were erected for the purpose of keeping up the intercourse through a region of country where mountains had been levelled, and villages had sprung up in the wilderness. The road was now in a situation to be travelled, and the toll-gates exacted a tax from the traveller. If the travel was sufficient, instead of being called on to expend money on the road, the states might derive profit from it. And in parts where there was less travel, the states had exhibited a willingness to make the necessary expenditures, until the travel shall be sufficient. Yet gentlemen had said this road was to be a burden on the states in perpetuity. He had no desire to impute to the senator from Pennsylvania that he had entertained at any time different opinions concerning this road from those which he had now expressed. He believed that government had no right to make appropriations for the purpose of keeping up this road. But there were gentlemen with whom the senator from Pennsylvania acted, who entertained different views from that senator, as to the right of the government to collect tolls. He did not mean to impugn the power of the states to establish gates for that purpose, under the authority of the general government.

He was aware that the road would go to ruin, without repair, not so much from the travel upon it, as from the accidents to which it was liable. The slight expenditure which the states would be required to make upon it, would be amply compensated. The road must be repaired, and whether the mode proposed was advantageous or disadvantageous, the great advantages derived from it by the states should induce them to undertake it. This eternal recurrence of claims on the general government seemed to him to show that gentlemen, having once tasted of the sweets of treasury patronage, could not be driven from the feast, and that they had determined to come, year after year, until they had exhausted the patience of the general government. As to the road west of Ohio, it should go on with his acquiescence. He was desirous to move to amend the bill, by striking out the second and third sections, in order to test the feeling of the senate.

Mr. *Webster* said, that no doubt it was formally considered the policy of congress to erect toll gates, and he should probably have followed the senator from South Carolina in his train of reasoning, and even to the result to which he had come, did he not feel himself restrained, by constitutional scruples, not to acquiesce in his argument. But entertaining originally, no doubt upon the subject, he (Mr. W.) took a somewhat different view of the whole matter as presented by the honorable senator. He thought it more general and local in its character than the gentleman from S. Carolina seemed to think it was. They all knew that, originally, the ground assumed as rendering it proper for congress to construct this road was, that the new states should be benefitted by it, the government of the United States being possessed of such vast public domain. The object, then, of this road was to open access to those states, in order that the public lands might be brought into market. He, (Mr. *Webster*) did not consider it a road in which Pennsylvania, Maryland or Virginia, had a particular interest. There was no reason to suppose that if Pennsylvania were to make a road through her territory for 200 or 300 miles, she would fix upon that route in particular. The same remark would apply to Maryland and Virginia. The object was more general—it was a national object. Well, whatever the object was, it was a great public work which had been prosecuted for many years; and he agreed that, either through misfortune or mismanagement, or some other cause, it had been a most extraordinary expensive undertaking. But still, in the actual position of things, he confessed he saw no better mode of legislation for congress to adopt than to follow up the course indicated in the bill of last year.

He understood that the present bill had assumed two distinct objects. The one was to make a road beyond the Ohio river, to lead to the Mississippi, or indefinitely west. That purpose in the present bill did not seem to him to be exactly appropriate. The other object, and that the main one, was, to appropriate $350,000 for the repair of that part of the road which lay on this side of the Ohio; and the object of that repair was said to be to place the road in such a condition as that the public authorities of those states interested in it would accept the same as belonging to themselves, and come under the contract to keep it in repair. Now, he supposed that every body who agreed or disagreed in respect to the original policy of the government in making that road, would admit, although it had been constructed at a great expense, that it was prudent and proper that the government should be charged with the duty of preserving the road. He agreed with the policy adopted by congress, and also with the sentiments expressed by the senator from Pennsylvania, near him, (Mr. *Buchanan*), in that respect, and especially in this, that it was the true course for congress to pursue, to put the road in the most complete repair, and then transfer it to the respective states in which it lies. Arrangements had been entered into between the government and the states respectively. What were they? They were, that if the government of the United States would put the road in repair, the states would take it and stipulate to keep it in that condition, and that was for the use of all the citizens of the United States. And he understood it as a part of the stipulation between the government and the states, (the gentleman would correct him if he was wrong), that they should expend every cent that might be received at the various toll gates upon it.

Now, that road was no gift to those states, in particular; they derived no more benefit than if he, (Mr. W.) travelled west, and his friend from Pennsylvania, (Mr. *Buchanan*) travelled east. They undertook to collect the revenue of the road, and to apply it to the purpose of repairing it. Every one must see how very inconvenient it was for congress to possess such a road. He understood that there had been the most wasteful extravagance, in consequence of having suffered the road to be from year to year out of repair. If, however, it had been in the possession of the local authorities of the respective states, they would have been enabled at a small expense, to have kept the road in repair. At the last session, it would be recollected, that the estimate of the engineer department, relative to this road, was laid before the senate. $650,000 was stated as the sum requisite to put it in a state of complete repair. The senate thought then that it would be judicious to make that appropriation, and thereby get rid of the burden at once. The house, however, thought differently, and appropriated only $300,000. No one supposed that that was enough to put the road in a state of repair. No one contended that the sum was sufficient to carry into effect the plan of completion proposed by the officers of the government.

This bill then, as he understood it, was to appropriate that portion of the original sum, which had been striken from the bill of last session, to the completion of this road. He trusted that this would be granted; it was the part of prudence to acceed to the demand, and thereby get rid of the road by putting it in such a condition that it would be accepted by the states.

Mr. *Clay* remarked, that he would not have said a word then, but for the introduction in this discussion of collateral matters not immediately connected with it. He meant to vote for the appropriation contained in the bill, and he should do so with pleasure, because, under all the circumstances of the case, he

felt himself called upon by a sense of imperative necessity to yield his assent to the appropriation. The road would be abandoned, and all the expenditures which had heretofore been made upon it, would have been entirely thrown away, unless they now succeeded in obtaining an appropriation to put the road in a state of repair. Now, he did not concur with the gentleman, (Mr. *Ewing*), that Ohio could, as a matter of strict right, demand of the government to keep this road in repair. And why so? Because, by the terms of the compact, under the operation of which the road was made, there was a restricted and defined fund set apart in order to accomplish that object. And that fund measured the obligation of the government. It had been, however, long since exhausted. There was no obligation, then, on the part of the government, to keep the road in repair. But he was free to admit that considerations of policy would prompt it to adopt that course, in order that an opportunity should be presented to the states to take it into their own hands.

The honorable senator from Pennsylvania felicitated himself on having, at a very early epoch, discovered the unconstitutionality of the general government erecting toll gates upon this road, and he voted against the first measure to carry that object into execution. He (Mr. *Clay*) must say, that, for himself, he thought the general government had a right to adopt that course which it deemed necessary for the preservation of a road which was made under its own authority. And as a legitimate consequence from the power of making a road, was derived the power of making an improvement on it. That was established; and, on that point he was sure the honorable gentleman did not differ from those who were in favor of establishing toll gates at the period to which he had alluded. He (Mr. C.) would repeat, that, if the power to make a road were conceded, it followed, as a legitimate consequence from that power, that the general government had a right to preserve it. And, if the right to do so, there was no mode of preservation more fitting and suitable than that which resulted from a moderate toll for keeping up the road, and thus continuing it for all time to come.

The opinion held by the honorable senator, at the period to which he had adverted, was not the general opinion. He would well remember that the power which he (Mr. *Clay*) contended did exist, was sustained in the other branch of the legislature by large majorities. And, in that senate, if he was not mistaken, there were but nine dissentients from the existence of it. If his recollection deceived him not, he had the pleasure of concurring with the distinguished individual who now presided over the deliberations of that body. He thought that he, (the *vice president*), in common with the majority of the senate and house of representatives, coincided in the belief, that a road, constructed under the orders of the general government, ought to be preserved by the authority which brought it into being. Now, that was his (Mr. *Clay's*) opinion still. He was not one of those who, on this or any other great national subject, had changed his opinion in consequence of being wrought upon by various conflicting circumstances.

With regard to the general power of making internal improvements, as far as it existed in the opinions he had frequently expressed in both houses, his opinion was unaltered. But with respect to the expediency of exercising that power, at any period, it must depend upon the circumstances of the times. And, in his opinion, the power was to be found in the constitution. This belief he had always entertained, and it remained unshaken. He could not coincide in the opinion expressed by the honorable senator from Pennsylvania and the honorable senator from Massachusetts, in regard to the disposition that was to be made of this road.

What, he would ask, had been stated on all hands? That the Cumberland road was a great national object in which all the people of the United States were interested and concerned: that we are interested in our corporate capacity, on account of the stake we possessed in the public domain, and that we were consequently benefitted by that road: that the people of the west were interested in it as a common thoroughfare to all places from one side of the country to the other. Now, what was the principle of the arrangement that had been entered into? It was this common object, this national object, this object in which the people of this country were interested; its care, its preservation, was to be confided to different states, having no special interest or motive in its preservation; and therefore not responsible for the consequences that might result. The people of Kentucky and Indiana, and of the states west of those states, as well as the people living on the eastern side of the mountains, were all interested in the use and occupation of this road, which, instead of being retained and kept under the control of that common government in which all had a share, their interest in it was to be confided to the local jurisdictions through which the road passed, and thus the states, generally, were to depend upon the manner in which they should perform their duties—upon those having no sympathy with them—having no regard for their interest, but left to do as they chose in regard to the preservation of this road.

He would say that the principle was fundamentally wrong. He protested against it: had done from the first, and did so again now. It was a great national object, and they might as well give the care of the mint to Pennsylvania; the protection of the breakwater, or of the public vessels in New York, Baltimore and Philadelphia, to the respective legislatures of the states in which that property was situated, as give the care of a great national road in which the whole people of the U. States were concerned, to the care of a few states which were acknowledged to have no particular interest in it—states having so little interest in that great work that they would not repair it when offered to their hands.

But, he said, he would vote for this appropriation; he was compelled to vote for it by the force of circumstances over which he had no control. He had seen, in reference to internal improvements, and other measures of a national character, not individuals merely, but whole masses—entire communities—prostrating their own settled opinions, to which they had conformed for half a century—wheel to the right or the left—march this way or that, according as they saw high authority for it. And he saw that there was no way of preserving this great object, which afforded such vast facilities to the western states—no other mode of preserving it, but by a reluctant acquiescence in a course of policy which *all*, at least, had not contributed to produce, but which was formed to operate on the country, and from which there lay no appeal.

Mr. C. in conclusion, again reiterated that he should vote for the appropriation in this bill, although very reluctantly, and with the protest, that the road in question, being the common property of the whole nation, and under the guardianship of the general government, ought not to be treacherously parted from by it, and put into the hands of the local governments who felt no interest in the matter.

Mr. *Wright* rose and said it was not his purpose to debate the question; but he had merely risen to suggest an amendment, in order to make the acceptance of the road by the states a condition of the payment of the appropriation. It was the object of all to get rid of the road, and to discharge the general government from all further responsibility concerning it by the present appropriation. He thought this was the object last year, and it was avowed to be so now. Was there, at present, any certainty that the road would be accepted by the states? Might not the same reply as before be made, that the road was not in repair? Was it, therefore, unreasonable to ask the friends of the bill, who say that the states will now be satisfied, to agree to such an amendment as he had suggested?

Mr. *Hill* said that the bill before the senate was the same as that passed last session. He thought that not a dollar should then have been appropriated. He could not vote for the bill, so as to put the general government at the mercy of the states. If the states were to require of congress to pave the road with gold, precisely the same reasons might be brought forward in support of the requisition as are adduced now.

Mr. *Buchanan* said he did not rise for the purpose of again adverting to the merits of the proposed appropriation; but merely to make a few remarks in reply to the senator from Kentucky (Mr. *Clay*). He (Mr. B.) had got between two fires—from what he considered opposite extremes. Whilst the gentleman from South Carolina (Mr. *Preston*) thought he went too far in favor of internal improvements, the gentleman from Kentucky (Mr. *Clay*) blamed him for not going far enough. On this subject they were the two extremes, and he should adopt for the rule of his conduct the maxim "*in medio tutissimus ibis*." The true course, in his opinion, was midway between them.

Mr. B. said, that if the present were a proper occasion to enter into the argument, he thought he could prove most conclusively, that there was a vast difference between the power of simply appropriating money for the construction of roads, and that of exercising jurisdiction over them after they were completed. The one was the mere application of the funds of the government to accomplish a particular object; whilst the other invaded the jurisdiction of the states, and entered upon their soil, for the purpose of erecting toll gates upon these roads and levying toll from passengers. To carry this power into effect it would be necessary to establish officers along these roads under the authority of the United States. He considered the assumption of jurisdiction over the soil a much higher power, than the mere appropriation of money. What, he asked, would be the argument to establish this jurisdiction? Congress possess the power to appropriate money for the construction of post roads: and therefore it follows that they may take these roads under their own jurisdiction for the purpose of preserving them, may erect toll gates upon them, and enact the laws necessary to carry these powers into execution. An incidental power cannot transcend its principal—the stream cannot rise higher than its fountain—and even admitting the power of congress to make internal improvements, he utterly denied the power of erecting toll gates upon them, and thus exercising jurisdiction over them.

He would merely observe, in relation to a remark of the gentleman (Mr. *Clay*) that if whole masses—whole communities had changed their opinions in regard to particular subjects, for himself he could say he was not among the number of those who had thus changed. But if this were the proper time to enter into such a discussion, he thought he could show that sufficient reasons existed to justify the change of whole communities on the important question to which the gentleman had evidently alluded.

Mr. B. said he made these remarks with the most perfect respect for that gentleman. Towards him he had never entertained any other feeling. He (Mr. B.) had said thus much in his own defence. He could not sit and listen in silent acquiescence to the observations which had been made by that gentleman, in the course of his remarks.

Mr. *Clay* made a few remarks, in reply to the senator from Pennsylvania, complimenting him on the ingenuity which he

had displayed in stating the question under discussion, and on the complacency with which he regarded his own infallibility, in taking a position between the two extremes. Mr. C. then proceeded to show that the senator from Pennsylvania had strained a point for the purpose of bringing up a constitutional discussion, and had charged on the friends of the bill a desire to interfere with the jurisdiction of the states when no such thing was ever dreamed of. The senator admitted the power to create a national road, but contended the moment the road was made, there was no power in the government to preserve it in a state of efficiency for the purposes for which it was created. This reasoning Mr. C. denounced as preposterous.

The senator from Pennsylvania had disclaimed any intention to be personal in his remarks. He (Mr. C.) had stated that whole masses, communities had changed. This he had stated as a great historical fact, and he had said nothing further. The gentleman from Pennsylvania said he could have given sufficient reasons for these changes. I am sorry (said Mr. C.) that he did not give the philosophical-political explanation of the changes, and expose the remarkable causes of this singular political phenomenon.

Mr. *Wright* said he should vote against striking out the second and third sections of the bill, because he hoped that the bill would be so amended as to render it certain that the road should hereafter be kept up at the expense of the states. Unless the bill was amended, he should give his vote against it.

Mr. *King*, of Alabama, said that he should vote for the bill, and against striking out the sections. The time had gone by, and therefore it was too late to discuss now whether or not congress possessed the power either to construct or repair the road. He could not, however, agree with the gentleman from Ohio (Mr. *Ewing*) that congress were absolutely bound by every earthly obligation to go beyond the expense of putting the road in a state of repair. He knew not what change might have taken place in the opinions of honorable gentlemen in reference to the right of the general government to establish toll gates on the Cumberland road; for himself he could only say that he never entertained the opinion that the power did exist, and his sentiments therefore, were unchanged on that subject. The expenditure on the road in question had been most enormous, and there was very little hope that it would be less, or that the government would get rid of it at all unless some provision were inserted in the bill making the prior surrender of the road to the states, the condition of the payment of the money. He had examined the report of the commissioners relative to the road, and could not discover in it any pledge whatever that the respective states who were parties to the road would take it off the hands of the government, if an appropriation should now be made. In order that gentlemen might be relieved from any difficulty on this point, he had prepared an amendment which he thought would be approved of, and have the desired effect. He was glad to hear the senator from Pennsylvania say it was the intention of his state to receive the road, if the appropriation now asked for should be made. If, however, the states did not then choose to take it, the senate would be hereafter stopped from making any further appropriation. It was his determination, at least, not to vote for another.

Mr. K. then offered his amendment, which was in effect a provision that the acceptance of the road by the several states should be received, previous to the payment of the amount of the appropriation out of the treasury.

Mr. *Hendricks* accepted the amendment.

The bill was then ordered to a third reading. Ayes 32, noes 9.

UNITED STATES AND FRANCE.

The following address from M. *Charles Dupin*, (brother of the president of the chamber of deputies), has been forwarded to the editor of the New York Courier & Enquirer, under date of Paris 7th April, with the remark—"There is no doubt that the law will pass by a large majority, unless the next packet, daily expected, brings something of a very irritating nature."

From Le Constitutionnel.

OPINION OF BARON CHARLES DUPIN UPON THE QUESTION OF THE AMERICAN CLAIMS.

In the year 1834, the former legislature, considering the indemnity of 25 millions as excessive, rejected the project of law relative to that sum.

An interval of seven months took place before the renewal of that project.

The American ambassador in Paris, impatient at this delay, induced the president of the United States to draw up a message, apparently addressed to the senate, but in fact meant for the world at large, and likely to intimidate the chamber of deputies. According to the views of the diplomatic agent, that message was absolutely necessary, in order to obtain from the French legislature a favorable vote, to be dictated by fear.

The government considered the extraordinary act of the president so much as an outrage, that it lost no time in recalling the French minister plenipotentiary from the United States: the government did no more than its duty. We should do ours. The deputies, representatives of France, are in the first place the representatives of the national honor; every thing that could lower them must speak its humiliating influence upon their country. Without yielding to irritation even the best founded, without giving way to angry feelings which the friend of peace and humanity might deplore, the chamber is possessed of most efficacious means of showing that there are offences which it can repress by the mere display of silent disdain. We are called upon for an immediate vote—a vote of a certain sum, required to the full extent without any possible diminution, and that under the penalty of hostilities. We have been menaced with embargoes, seizures, privateers, even before declaration of war. A squadron from America has taken up its position in the Mediterranean and near the Balearic Islands, and five general orders have been issued to the several arsenals of the United States to make the necessary formidable preparations. If we are anxious to know what line of conduct we ought to pursue on this occasion, we have only to ask ourselves what steps would have been taken under similar circumstances by any other legislative assemblies so celebrated in history for the dignity and grandeur of their character? What, for example, would have been the vote of the Roman senate, if the chief magistrate of Carthage had endeavored, by even indirect threats, to hasten and intimidate the vote of those patricians whom Cyneas had taken for an assembly of kings? If we look at a later period, what would have been the vote of the senate of Venice if the sultans, even in the zenith of their power, ventured upon similar menaces to those men, who, sooner than yield the slightest point of national honor, rushed to meet the enormous forces raised against them by the league of Cambray? What would the English parliament have voted if any president, pensioner or stadtholder of the United Provinces had required, in arrogant terms, an immediate decision upon some pecuniary claim, and had, at the same time, fitted out vessels and demanded from the states-general provisional funds to enable them to fall upon the English ships in case the parliament did not accede without delay and without reduction to their claims? Finally, what would have been the conduct of the Spanish cortes, even in the midst of their greatest perils, in 1812, in 1822, if similar demands had been made upon similar conditions, no matter whether by America or by the universe?

Supposing that these heroic assemblies had judged that it was for the interest of the people not to declare war, probably they would have allowed, for a short period, their national interests to take lead of the vengeance due to national majesty. But certainly the most positive and coldest adjournment would have been considered as the most lenient measure to satisfy the feelings of wounded honor.

I believe that France is worthy of possessing representatives, equally jealous, with those of ancient Rome, who were the glory of their country, or as those of Venice in the middle ages, or those of England or Spain.

Without prejudice against a people whom I admire, I am anxious to deprive them of all pretext for entertaining less esteem or less respect for my country. My vote is therefore for an adjournment of the project of law until next meeting.

If during this interval those arrogant threats have ceased, if the hostile armaments have disappeared, if a respect for France has again become the indispensable preliminary to the sanction of the treaty, I should not think of disputing like a cautious purchaser about a few millions more or less: provided, on due examination, the sum does not appear too exhorbitant, I shall give it my vote. Until then I shall refuse to take part even in the discussion, and this is the reason I have thought proper to publish my opinion instead of pronouncing it at the tribune.

The [London] "John Bull" thus speaks—

The French and the Americans appear to be in the "first position" for fighting. Upon the justice of the case we believe it would be somewhat difficult to decide. Matters, however, have come to a certain point, and president Jackson has given citizen Philippe to understand, that unless he "forks out" that ere trifle as uncle Ben was a talking about, "they must go to gunning." We suppose that the French government, having refused to pay upon principle, will not consent to be bullied into a disbursement; it would be quite inconsistent with the chivalrous feelings of that great, gay and enlightened nation, to submit to dictation: we trust the French know themselves better. We admit that, if the thing does come to extremities, the Americans will have ten or twelve sail of the line, and half a score of their great spanking frigates afloat and at work, before France can get out a fourth part of the number. And pretty considerably previous to her catching one small American prize, Jonathan will have planted his stripes and stars upon the few remaining colonies which England has been good-natured enough to leave her.

Mr. Jackson is a very determined old gentleman, and his message speaks volumes of gunpowder. We must say that nothing appears to us wiser than opening a safety-valve for the United States, in their present state of disunion, in the shape of war. We trust, however, that Mr. J. will confine himself to the capture of the French West India colonies, and not go and take the island of Bourbon—which, to be sure, fell easily before a small British force in 1810. It has been restored to France, and would be of great value to America—Pondicherry and Chandernagore, perhaps not so much.

FRENCH CHAMBER OF DEPUTIES.

SITTING OF APRIL 9.

M. *Dupin* took the chair at half past one o'clock. The body of the chamber and the public galleries were excessively crowded, and the latter, as usual on such occasions, presented a brilliant display of distinguished females. Outside the chamber,

the crowd was less considerable than might have been expected from the interest with which all classes seemed to look forward to the important debate about to take place within doors.

The *president* announced that the order of the day was the discussion on the bill relative to the 25 millions of francs demanded for the payment of the American claims.

The *duke de Fitzjames* ascended the tribune, and after an exordium, in which he stated that he counted but little on the indulgence or the sympathy of the chamber, the honorable deputy observed that his attention was principally directed to the increased burdens, which a vote of 25 millions in favor of the American claim would impose upon the country. The moment too for reviving that claim had been, in his opinion, most ill chosen. He asked how it had happened that in 1831, when the thunder of the revolution of July still sounded in the ears of Europe—when the ties which bound France to other nations seemed on the point of being severed—how had it happened that such a moment had been chosen for the termination of an affair, which, for twenty years, had remained pending, and the settlement of which might have been indefinitely postponed, had not some mysterious, but imperative motive operated to hasten its conclusion? The honorable deputy here entered into a narrative of facts. He stated that the duke de Bassano, so far from recognising the American claim to the amount of twenty-five millions, had considered that the cession of the Floridas would be perfectly satisfactory to America; and yet, in point of importance, the Floridas were not worth the twentieth part of the pecuniary value (80 millions) obtained for the cession of Louisiana. He was at a loss to understand why the Americans, who had derived such advantages from the occupation of Louisiana, and whose prosperity might be said to date from the existence of the treaty which insured to them the possession of that vast continent, should so pertinaciously and so bitterly urge their claims against France. The misfortunes of which America complained had been sustained by all the nations of Europe; but for those misfortunes America had been already repaid a hundred fold. Spain had suffered from the invasion of 1808, which was as flagrant a violation of the rights of nations as had been inflicted by the Berlin and Milan decrees.

But what would now be the position of France if the principal of strict, even handed and mitigated justice invoked by America, were enforced in favor of Spain? Her claim was aggravated by the plunder of whole cities, by the massacre of peaceable inhabitants, by the violation of every tie that bound man to man, and all the treasures of France would be inadequate to discharge the account of blood. The chamber ought to recollect the different claims which had been made in favor of America—in successive negotiations, 13 millions, 14, 11, 15 millions had been demanded. Taking one demand with another, the average amount would be found to be about 12 millions—that sum he believed to be about the just amount of the debt. He thought the restoration—that restoration which had been accused of prodigality—would not have offered merely 15 millions had it recognised the justice of a claim of 25 millions. America had first demanded 80 millions, and, in his opinion, those eighty millions were as justly due as 40 or 26—in other words, they were not due at all.

Throughout the whole of the negotiations, America never expected payment of the alleged debt—she merely wished to profit by circumstances, and to obtain as much as possible. He thought that the government had deviated from the straight forward path, and had endeavored to obscure the real merits of the question under a heap of cyphers. The *employees* of the different government offices had been set to work to establish classes of ships burnt, captured, sequestrated or condemned, though it was well known that the real pith of the question was not to be found in those points. The interests of the Americans had been much better attended to in France than amongst the Americans themselves. It was the business of the latter to furnish France with accounts, but the French government had taken that trouble off their hands, and had made the most incredible efforts to prove the justice of the American claim. The restoration had agreed to liquidate that claim if proved to be just, but the revolution of July had proceeded on a different principle, and had at once recognised a debt of 25 millions, instead of 12, 14 or 15 millions. The treaty of 1831 had been founded on an incomplete and exaggerated business. Subsequently to the framing of that treaty, other returns had been produced, but they were of a later date by three years than the treaty. During 20 years France had in vain demanded those returns, but was there not something astonnding in the readiness with which they were now produced when the question was to pay?

Two curious facts were to be gathered from these documents. The first was that America considered France her debtor to the amount of 90,600,000 francs! America was most generous in excusing France from the payment of 65,600,000 francs, and the nation ought to be grateful to ministers for having released it from so onerous a burden! The second fact to which he would refer was that government had, in 1831, signed a treaty founded on accurate information—which had reached it in 1834! (A laugh.) The returns in question, which had evidently been arranged at pleasure, not only after the signature of the treaty, but after the vote of last year, (for the chamber might observe that they were dated on the 7th June, and the news of the vote had reached Washington on the 6th May), those returns might have been of use at Washington for the division of the spoil which was so anxiously expected there, but what occasion had France for them, as she had only to pay? America, however, was so obliging as to send them in order, no doubt, to help out ministers in the discussion of this day. For his part, he regarded the production of them at such a moment as a proof of an understanding between the two governments. He had besides to observe that the different claims composing the sum total of the alleged debt had often changed hands. It certainly would be a great point gained could it be ascertained precisely to whom the debts belonged; who had an interest in their payment, for the original creditors had long ago disposed of their rights in this matter. The debts had passed into the hands of speculators who had purchased them at a cheap rate, the claims had been bought and sold—not in the public money market, but in the dark mysterious haunts of the usurer and the stock jobber. (Sensation.)

These, however, were points which for good and sufficient reasons could never be cleared up. He would now observe that the duke de Bassano, in one of his reports had stated that, in his opinion, the United States were more anxious for the acknowledgment of the principle of the indemnities, than for their amount. It was upon these *data* that the restoration constantly proceeded, and they ought never to have been lost sight of, instead of throwing millions at the heads of people who did not demand them, and whose pretensions would have been satisfied with one-half; pretensions that rose or fell according to times and circumstances; according to the more or less prosperous state of the governments to which application was made; pretensions which, from 80 millions, suddenly fell to 20 millions at the moment when Napoleon reached the highest pinnacle of his glory, and when his victorious army had entered Moscow. The disasters of Napoleon having commenced, the demands of America were increased to 30 millions, and in January, 1814, two months only before the fall of the empire, the duke de Vincence wrote to Napoleon, that the Americans computed their loss to 40 millions. It was not extraordinary then that in 1824, when the country was in a most flourishing state, these demands should have fallen to 12 millions. These fluctuations in the demands proved to demonstration the shameful system of jobbing which had disgraced this whole affair.

This vile jobbing was again apparent in the pretended negotiation in the course of which an American, concealed behind a band of speculators, was found to abandon the special mission with which he had been charged relative to the indemnities, and renounce those indemnities to which so much importance was now attached, to obtain a certain number of licenses, to turn to account an affair in which for these poor speculators the handsome profit of forty-eight millions was in question. The duke le Bassano did justice to those infamous practices. He (the honorable deputy) was willing to believe, for the honor of diplomacy, that the minister of a great power would not have played such part if he had not received secret instructions. The American government wished for all the money it could get; it perceived a chance in the licenses, and it took advantage of Napoleon's embarrassments to obtain them. The original creditors, if they had crossed the sea to claim just rights, would not have hazarded those rights in dirty speculations. The friends of the government said: "when one owes, one ought to pay, honor enjoins it." He could see no honor in this question, and he feared the contrary would be apparent. The assertion was incorrect, that the debt had been recognised by all the governments which had preceded the present. Napoleon's ministers had proposed to him to satisfy the Americans but solely for reasons of state—to prevent them from seceding from this cause, and forming an alliance with the English. But the ministers of Napoleon had never spoken to him of the payment of a just debt to the Americans, but of a favor to be granted to them. It was evident that the payment of a just debt was not a favor.

Besides, the phrase—"If the emperor will consent to the indemnity"—a phrase to be found in the report of the duke of Vincence, dated 11th January, 1814, was conclusive on this point. This doubt expressed with regard to the emperor's future consent, proved that he had not yet consented. He (the honorable deputy) thought, and probably the chamber might think, that Napoleon's opinion on this question would be a precious document. It was one that might be easily procured. Napoleon, when with the army, was in the habit of writing upon the margin of the reports which he received, his orders or his opinions on the questions submitted to him. These original reports were in the archieves of the kingdom—and he would now ask, why had the marginal observations been erased from the documents which had been submitted to the chamber? In his idea, Napoleon's opinion on this question would be of inestimable value; for the emperor was not easily duped; he was one who had entertained as little partiality for crooked handed speculators as for empty headed philosophers. (A laugh.) As to the different governments of the restoration, they had long refused to entertain the idea of negotiating except on the basis of the indemnities due to France for the infraction of the 8th article of the treaty of Louisiana—an infraction which reflected little honor on the American government. On the appointment of every new minister for foreign affairs, the American minister renewed his claims, and invariably received for answer—"Present your accounts, and we will furnish you with ours." There the matter uniformly ended without any diminution of friendship on either side. (Hear, hear, hear, hear.) He had never believed that president Jackson was serious in the threats with which he had insulted the French nation; his message would

never have been published had he not considered himself assured of impunity. What could be thought of the wrath of a man who had taken seven months to give expression to that wrath? Might not some one have said to the president—"Threaten us; furnish us with a pretext for apprehension"—for who would have dared to say—"Menace France and she will be afraid?" (Order! order!) The hireling journals endeavored to excite apprehension for the commercial interests of France; but those interests were perfectly safe, for not the remotest probability of a war with America existed. Even were it otherwise, had France sunk so low amongst the nations of the earth that she could be insulted, threatened and terrified into the payment of her millions? Was she to bend and bow in reverential horror before the naked sword suspended over her head? Ministers, who had for four years cemented such close bonds of amity with England, might at least have borrowed from that country a lesson of patriotism and of national dignity. They might have learned from the example of England, who certainly had never been accused of indifference to her interests—that national honor was the first and the most sacred of all interests. The question now before the chamber would never for a moment have been entertained in a British parliament, and the minister who should have dared to present it, how exalted soever might have been his station, would have been hurled from his lofty eminence, and would have sunk even beneath contempt. He had no wish to adopt a warlike tone—he had no desire to speak in the language of party spirit, but, as a Frenchman, he addressed himself to Frenchmen. He appealed to their sense of honor—to their love of country. France wished not for war—nor did she fear it. (Cries of hear, hear.) France would never permit the colors of Austerlitz to be degraded. She would preserve her firm and noble attitude, protected by the arms which had never failed her in the hour of danger, and dignified by the innumerable trophies of her glory. (Hear! hear!) In conclusion, he would demand that the decision of this question should be adjourned till a special ambassador, sent for the purpose by the American government, had made a suitable reparation to France. He would oppose the bill as the most disgraceful that had ever been submitted to the consideration of a French chamber. (Considerable effect was produced by the speech of the honorable deputy, who here resumed his seat, and was warmly congratulated by several of the opposition members.)

The *minister of the interior* said that he might well be excused if he was unable to reply with calmness to the insinuations that had been made. He felt astonished too, that the partisans of the restoration should have pronounced the word indemnity—were they capable of recollection—were they susceptible of shame, that word would have made them blush. The restoration refused to pay the American claim, on the ground that it was not answerable for the debt of an usurper; and yet that restoration had paid indemnities to those through whose exertions its cause had triumphed. Spain, of which so much had been said, had received 1,800,000 francs of rentes. Such had been the terror felt by the restoration that it had paid every claimant; but as the United States had not an army on the Rhine, they were not paid. (Hear, hear!) The present government had recognised the American claim, because convinced, by the strictest investigation, that it was a just debt. Was it not surprising to hear honorable deputies, in the name of the restoration, talk of liberty, dignity, economy and a wise and prudent administration? For 15 years the restoration had had the direction of affairs, and why, during that period, had it given no proof of its superior acquaintance with the science of government? The fault perhaps would be laid upon the ministers of that day. He was willing to believe, that had the restoration summoned to its councils such men as the honorable deputy who had addressed the chamber before him, France would have enjoyed liberty, dignity, and the blessings of economy, and of a prudent administration; but how was it possible to account for blindness, the obdurate folly of the government of that period, which, while able to command the services of men so distinguished for ability, had allowed itself to be terrified into the bestowal of its milliards? (Hear! hear!) He thought that a government whose hands were stained with the blood of the most illustrious generals of France, and whose partisans had lined their pockets with an indemnity to the amount of a milliard, had no right to indulge in personal attacks. (Hear, hear).

The honorable deputy who had spoken before him had said that the dignity of France had been compromised. Were there any truth in the assertion, the present government never would have consented to the termination to which the question now submitted to the chamber had been brought. With regard to the insinuations which had been uttered, he trusted that if the members of that chamber really believed them to be founded in truth, they would not for an instant endure the presence of men capable of advising a foreign nation to insult France with a menace.

Had ministers thought more of their position than of their duty they would, on the first rejection of the treaty, have refused all further interference in the question. They would thus have escaped an enormous difficulty, for he would openly avow that the present was a cabinet question. They had been of opinion, however, that men animated with a sincere love of their country should think only of the public welfare, which, in the present case, undoubtedly required the maintenance of amicable relations with the allies of France. The commercial interests of Lyons were also to be consulted. The treaty might have been abandoned, to the detriment of that city and of Havre, St. Etienne and Bordeaux, but ministers had acted otherwise, and in so acting, they had done their duty. Last year perhaps they had not urged their convictions with a sufficient force upon the chamber, and on that occasion he himself had intended to speak on the question, but during his momentary absence from the chamber the article on which he had proposed to present some observations had been put to the vote. For these reasons ministers had resolved to present the treaty to the new legislature. Their conduct had proved them to be capable of braving every difficulty for the sake of a principle, and their zeal and devotion were certainly not to their discredit.

Some astonishment had been expressed that the president of the United States had so long stifled his wrath; but it should be recollected that his feelings had been displayed on the earliest occasion, that is, on the first day of assembling of the American chambers, ministers had been reproached with having got all their subordinates to work—with having spent an infinity of time in collecting documents—they, however, wished that the duke de Fitzjames had done as much. They had conscientiously examined the question. They had replied with dignity to the intemperate language of president Jackson. They had waited to hear the language of the house of representatives. All or nearly all the members of that house had spoken in terms conciliatory to France, and even now the representatives of America had decided for the rejection of the president's propositions, and the senate had refused to vote the funds demanded by him. By always referring to the message of the American president, the chamber would act like many who, feeling disinclined to pay their debts, anxiously endeavored to pick a quarrel with their creditors. Care, however, should be taken that the wish to embarrass the government was not gratified at the expense of the interests of the country.

The question was—did France owe a just debt to America? Every government had decided that question in the affirmative. The duke de Bassano had done so, and the duke de Vincence had arrived at the same conclusion. The second question referred to the amount of the debt; that had been the point in discussion with every committee which had examined the question. It had been recognised by the existence of positive documents that France owed 24 millions, but that ten millions in addition to that sum were capable of being contested. Under these circumstances the government had agreed to pay 25 millions. Such was the answer to which he wished to confine himself. He had made that answer from a wish to repel insinuations the most odious—insinuations which neither the country nor the government had merited. (Hear, hear, from the centre).

M. *Lacrosse* ascended the tribune. The honorable deputy's voice was frequently inaudible in the gallery, in consequence of the private conversations, in which several members of the centre indulged; but, as far as we could occasionally gather the purport of his observations, he maintained that, with a little more tact and a little less precipitation, France might have induced America to accept fifteen millions. He thought the money of the nation might be more usefully bestowed than on the Americans—it might be applied, for instance, to the payment of the arrears due to the members of the legion of honor.

M. *Tesnieres* in a speech that excited but little attention, supported the bill; he, at the same time, approved of the resolution of ministers to accede to the payment of the claims only in case the national dignity sustained no injury.

The further discussion of the question was then postponed till to-morrow, and the sitting was adjourned at six o'clock.

Sitting of 10th April.

M. *Salverte* passed in review the origin of the American claims, and the negotiations to which they had led. He thought that for the partial damages sustained by private individuals, the increased prosperity of the trade of America afforded ample compensation. As to the transactions of 1814 and 1815, the restoration yielded not to fear but to force. The treaty of 1818 he considered the best act of the restoration, inasmuch as it had cleared the French soil of the emigrants. In the charter it was stated that the king made treaties of peace, of alliance and of commerce, but no mention was made in it of treaties bearing upon expenses or the payment of indemnities. The intervention of the chamber in certain treaties he considered indispensable. The principle was confirmed by a bill presented by the government in 1834, and relating to ministerial responsibility; for amongst the cases that might give rise to an accusation, that bill specified the case of a loan contracted by the minister without the sanction of the chambers. He would now read an important document, entitled "A copy of the ratification of the king with regard to the convention between France and the United States, dated July 4th, 1831." (The honorable deputy here read the formula of 1831, couched in exceedingly obsolete terms, and the purport of which was that his most Christian majesty had concluded a convention which could be broken neither directly nor indirectly.) He would ask if the language of that document was not the language of Louis the XIV—the language of an absolute sovereign? By the terms of that document, Louis Philippe formed an engagement which was to be binding as long as the monarchy lasted, and which was to be subject to no control or contestation. And yet, at this very moment, the chamber was contesting the document and discussing the propriety of its annihilation! In the treaty relative to the Greek loan, the formula of which he complained had not been employed. Till the present moment so flagrant a violation of the charter and of the French principles had not been hazard-

ed. He was aware that in the course of the present discussion the opinion of his illustrious friend, general Lafayette, would be cited. It was undeniable that the general's opinion was favorable to the payment of the American claims. He had been led away by his sympathy for America, but was it certain that he had minutely examined the question? Was it not fair to infer that had he lived, the threats of general Jackson would have considerably modified his first opinion?

M. *George Lafayette* stated that how inadequate soever he might feel to the discussion of a question involving such high interests as those now under consideration, he felt bound to protest against an opinion which had just been uttered, though he was aware that it had been expressed with the kindest feeling. He deemed it incumbent on him to protest against the assertion that his father might have been induced by his sympathy for America to vote for the sum demanded. America, no doubt, had a right to the sympathy of his late lamented parent, but he begged the chamber to recollect that his father was a French man and the friend of his country; and had not his conviction as well as his sympathy been enlisted on behalf of the American claim, he never would have spoken in its favor, for he was not the man to sacrifice his independence to his personal predilections. It had been said that some change might have been produced in his father's opinion by the threats of the United States. He (the honorable deputy) was not going to justify the expressions of the American president; and he felt how difficult it was for him, who had the same obligations to America as his father, to discuss such a delicate question. He would therefore simply observe that his father would never have harbored the supposition that the American nation would have ventured to threaten France—the independent, the glorious France of July, 1830.

M. *Salverte* observed from his place that he felt the highest admiration for his deceased friend, general Lafayette. He was aware that the general's conviction had ever been his guide, but he could not help repeating that his sympathies might have influenced him on this question. He had, on the present occasion, but one subject of regret—that the chamber was prevented from hearing the voice of his departed friend himself in this debate.

The *president of the council* stated that, for the present, he would limit himself to some general considerations on the question before the chamber. The treaty of 1831 was the work of a minister whose name would live in history, and in the memory of a nation. After having read the treaty, the minister observed that it contained nothing which inferred that the intervention of a law was unnecessary to render the engagement valid. The American government was aware of that fact, and immediately after the rejection of the last bill, that government was informed of the resolution of ministers to appeal from the former to the present chamber. In expressing doubts of the good faith of France, the president of the United States had done so without the shadow of a pretext. From respect for the American people, he would abstain from characterising their president's conduct. The French government had addressed no reproach to the American government, but had simply recalled the French ambassador. No stronger measure could have been adopted, unless a declaration of war had been made. The American chambers had paid no attention to the menacing recommendations of president Jackson. Had it been otherwise, France would have adopted the necessary measures, but without bravado, and as best became the dignity of a great nation. (Hear, hear.) On the improbable supposition of a war between France and America, it was not the former that could be exposed to the danger of an invasion, and the losses which French commerce might sustain, would not be wholly without compensation. (Sensation.) The chamber had an undoubted right to decide on the treaty of 1831. If it approved of that treaty, it would vote the funds necessary for carrying it into execution. The question might therefore be reduced to these terms. What was necessary for the honor of France? What was required by the respect due to the rights of nations—and to the principles of political probity? The president of the council here entered into certain considerations connected with the history of the American claim, whence he inferred that it was impossible to deny that France had injured America, and consequently owed her an indemnity. Napoleon himself had in principle admitted the justice of the American claim. The government of the restoration had repeatedly admitted it; and was the government of July to be less liberal than Napoleon—less just than the government of the restoration?

If America had not for twenty years furnished France with a statement of the amount of her claims, it was because for that period the negotiations carried on had referred to principles, not to mere cyphers. It was easy for honorable deputies quietly assembled in their committee rooms, to exclaim against the enormity of the sum of twenty-five millions, but had they borne a part in the negotiations, they would have felt the necessity of coming to a compromise on a portion of the claims. The imperial government when on the point of terminating the American question, had been overthrown. As to the restoration, its partisans claimed for it a singular title to respect, in saying that it recognised the principle, but was determined to evade the payment of the debt. For his part he was willing to believe that such an insinuation was wholly gratuitous. This great misfortune of the restoration had been the necessity imposed on it of laying burdens on the country for the benefit of foreign nations. After paying 700 millions for the expenses of the war, and 300 millions in addition, the restoration could not demand more millions even for the liquidation of a just debt. That he conceived to be the real motive of the course pursued by the restoration on the American question. He was unable to understand the meaning of the reproach addressed to the present government, that it had been desirous of purchasing the friendship of the United States at the price of 25 millions. What interest could the government have in making such a sacrifice, if not urged to it by considerations of honor? The act of the government in 1831 had been the act of a prudent, and not of a pusillanimous government. Even Napoleon, whose bravery was scarcely to be contested, had used the utmost circum-pection to avoid a maratime war. The memorial of the minister of the United States to the first consul had been found in the archives of the department of the foreign affairs, and with the permission of the chamber, he (the president of the council) would read the document in the original. (Marks of attention.) It ran as follows: "I request the citizen Talleyrand to make a report on the two subjects contained in this note, and especially on the first (American claim). There is no question of want of ability to pay: if we owe, we must pay." (Great sensation.) The president of the council here quitted the tribune, and the sitting was suspended for about ten minutes, during which, a number of the deputies formed groups round the ministerial benches and eagerly examined the signature of Napoleon.

M. *Bignon* read a written speech against the bill He stated that the existence of a debt due from France to the United States, was not contested, but that the sole question to be solved referred to the amount of that debt. Whatever might be the opinions of ministers, he considered Mr. Livingston's correspondence with the government of the United States still worse than the American president's message. He would repeat that the entire debate rested on the question—does France owe 25 millions? The most serious fault committed by government consisted in its having neglected to communicate the treaty to the chambers at the moment of its conclusion. In the treaty of 1831, the sum due was estimated at 25 millions, whereas the committee of that epoch had recognised a debt of only 12 millions. He maintained that if the bill now submitted to the chamber was adopted, France would pay more than she owed, and America less than her debt. The documents on which the report of the committee was founded, he considered inconclusive and incomplete. He was of opinion that the amount of 25 millions ought to be greatly reduced, as no impartial judge could say—"The Americans have lost 10, 15 or 30 millions, or, in short, any determinate sum. France, too, had great reason to complain of the conduct of the American government during the imperial regime. The trade of that government had violated the continental blocus; American subjects had manned the navy of England—and American stores had been supplied to the troops of the enemies of France. The American government had been bound by a sacred contract, the conditions of which it was impossible to say had been punctually fulfilled. Under the empire the indemnity was to have been granted merely as a war subsidy; under the restoration the payment of it was postponed; in 1831, 12 millions only were recognised; but now an incontestible sum of 14 millions, and a contestible sum of 10 millions were talked of. In 1834 and 1835, France seemed obstinately bent on paying 25 millions, whereas in 1831, Mr. Rives demanded only 3 millions of dollars. It was scarcely to be credited that any administration could have assured the American government that a bill which had been rejected by the chamber of 1834, should be again presented in 1835, without the slightest modification, and at a moment too, when president Jackson's offensive message had just reached France. Government, to act as it had done on this question, must have had some political motive for the payment of the sum stipulated in the treaty of 4th July, 1831, (sensation).

He considered it needless to enter into a refutation of the constitutional heresies contained in the message of the American president, and in the correspondence of Mr. Livingston. Both of those personages in their negotiations with France seemed to have strangely forgotten the doctrines which they had formerly professed. They had been in the wrong to reproach the French government, which had been culpable only towards France, but not towards the Americans—(Hear, hear). Were France ruled by a government similar to that of England, or to that of the United States, he would propose a resolution to the effect that—"The chamber is of opinion that an indemnity is due the American government, but that the concessions made by the French government to the American nation offer compensation for that indemnity. Consequently the chamber authorises the government to enter into fresh negotiations on the subject." As the French system of government, however, differed essentially from that of the two countries to which he had referred, he would simply frame his proposition to the effect that—"A credit of 12 millions is opened to the minister of finances, to enable him to enter into arrangements with the American government." (Hear, hear.) In this manner the solvency of the nation would be insured, and France would prove to the American government that the divinity which guides her is, at all events, not the divinity of fear. (Hear, hear, from the left.) It was said that the Americans regarded the question as one of national dignity; but their dignity would be as well satisfied with 12 millions as with 25, as they were anxious merely for the admission of the principle of indemnity. (A laugh.) What he now proposed was in imitation of the conduct of the Americans

themselves, who had demanded 80 millions, and afterwards endeavored to effect a compromise for 25 millions. He trusted that his proposition would be adopted by ministers; and in conclusion, he observed that if France showed due regard for the interests and the honor of America, the government of the U. States was bound to display equal consideration for the interests and honor of France.

Sitting of 11th April.

M. *Pataille* appeared at the tribune armed with an enormous long speech. He began with supplicating the chamber not to disgrace France in the eyes of foreign nations, by refusing to support the government, a refusal which would cause us to loose the confidence of all other countries and cast a stain on the honor of France. (Denial from the extremes of the chamber).

M. Pataille insisted, that if the necessity of rejecting the law be clearly established, the impeachment of ministers ought immediately to succeed the rejection, for having abused the confidence of the chamber and thrown the principal branches of industry into a state of derangement.

The chamber paid no attention to this speech, which lasted at least an hour. The speaker concluded, by saying he would vote for the project.

M. *Desabes* has the floor. He analyzed at great length the history of the negotiation. The emperor was convinced that he owed no indemnity to the Americans, because, said the speaker, the acts of violence he was compelled to perform were the consequence of a provocation, and could not be considered but as an allowable reprisal. M. Desabes repeated the arguments of many of the preceding speakers against the project. He thought that a plain and simple refusal ought to be given to the pretensions of the United States, and considered it an instance of incredible perfidity on the part of the Americans that they should not have complied with the condition of the 8th article of the treaty.

After some further tedious remarks, the speaker drew from his pocket seven or eight sheets of paper. (A laugh).

M. *Dupin* leaning over to M. Desabes. What, still more? Oh! let us have all at once. (General laughter.) The chamber entirely drowned the voice of the speaker in the noise caused by their private conversation. The speaker entered on an examination of the motives which led to the signature of the treaty of Louisiana in 1803. Was it not, said he, to insure particular advantages to our vessels in all the ports of the union. But badly was the treaty signed before the Americans violated in a manner more or less public, as they had continued to do ever since 1815. They formally refused to execute it, and French commerce, in consequence, sustained a material loss, which perhaps would compensate the amount of the American claims, but at any rate ought certainly to be brought in account in the settlement. In 1803, the Americans estimated at 170 millions, the advantages which would result to France from the treaty of cession of Louisiana.

In 1835 your commission, however favorably inclined it might be to the claims, did not think it could estimate them at more than ten millions, on which there was no doubt a considerable deduction to be made. M. Desabes in conclusion, said that he could not bring himself to believe that a French chamber would admit a debt already rejected under three preceding reigns, whilst the same chamber refused to admit the sacred and undoubted rights of the members of the legion of honor, of the old soldiers who during twenty years have generously shed their blood on so many fields of battle. It appeared to him that nothing could be more just than to ask at least the adjournment of the discussion to next year, in order that the chambers might rid itself of the disgraceful suspicion of having acted under the influence of fear, and that it ought to have time to mature its opinion on the origin and amount of the American claim.

M. *Delost* ascended the tribune at half past four o'clock.

Latest from France—April 13.

The following article is from the *Journal des Debats*, which looks rather unfavorable, inasmuch as it is a ministerial paper.

One word on the speech of M. Bignon. The name and talents of M. Bignon give unusual weight and ascendancy to his language. He has referred to a correspondence of Mr. Rives, who, after the conclusion of the treaty of 1831, on writing to his government, boasted of having obtained more than was due to them. The American negotiator announced, on having obtained the 25 millions, that he had deceived us, and that we were to pay more than we owed. What answer should be given to this overwhelming circumstance? We will not say that it is uncommon in the course of events, that a diplomatist before obtaining what he asks, should exaggerate the difficulties he meets with, or that when he has obtained it, he should exaggerate the consequences of his success.

We will not say but it is customary for every man to exaggerate his own merits, and when the cause has been gained by him, to represent it as having been a very bad one. We will leave aside this explanation, which perhaps would be as correct a one as any other, but what we should like to ask M. Bignon and Mr. Rives himself is, how it happens, that if 25 millions are not due, and if the payment of 25 millions would surpass the legitimate amount of the debt by 10 millions at least, how it happens, we say, that the American commissioners for liquidating the claims, acknowledges a debt of 17 millions or 92 millions of francs? Who are we to believe, Mr. Rives or the American commissioners? Mr. Rives with great self-complacency says, I have obtained more than was due. I have obtained 25 millions. And the American commissioners say, 92 millions are due. But perhaps the commissioners use this language to get still more out of us. Those Americans are so artful!

No, the treaty was concluded, the twenty-five millions were agreed upon. And when the commissioners admit that the claims amounted to ninety-two millions, it could not be to produce an effect on us. It was to Americans, to those who had a right to claim the indemnity, it is to them that they announce, that there were voted claims to the extent of ninety-two millions to pay them with. It cannot be supposed that the commissioners would increase the amount of the claims when the indemnity was not to increase in the same proportion. Who, then are we to believe? we again ask. The commissioners who say to the American claimants ninety-two millions are due to you, but there is but twenty-five millions to be divided among you; you will therefore loose sixty-seven millions of your claims—or Mr. Rives, who cries out "I am very adroit, I am very adroit, I have obtained more than was owing." Which of the two has an interest in persuading themselves they are right?

From Le Tempts, (moderate opposition).

The honorable M. Bignon has treated in his turn the question with that laudity which distinguishes him. He comes to the conclusion that the chambers should vote the government twelve millions to enable them to recommence negotiations. We approve in the fullest sense this explicit conclusion with which the orator has closed his opinion. It is time that every body in the chamber should have the courage to say what he thinks, and that every one should be willing to expose himself to be in the minority. The true question is often lost sight of in the purposed obscurity in which opinions are involved, and in the medium so laboriously sought after between the ayes and the noes.

Adjournment until reparation is obtained and 12 millions to commence a new negotiation. These are plain, precise propositions in accordance with the dignity of the country. If the chamber has leisure to take them into consideration.

But after all, very little doubt was entertained of the passage of the bill, as will be seen by the following letter, which contains the latest impression:

"*Havre, April* 13, 1835.

"CAPT. MERCHANT—SIR: I had an interview with the editor of the Havre paper this morning, he says the impression is, that the bill for granting the five million dollars will pass the deputies by a majority of fifty, notwithstanding the amendment proposed by M. Bignon to vote twelve million of francs, and to negotiate for the rest. You cannot have a Galignani per estafette to day, none being printed in Paris yesterday (Sunday)."

AMERICAN INDEMNITY.

The suppressed note. Although of no later date than our previous advices from Paris, yet the following extract from a letter to the London Courier, derives considerable interest from the circumstance that it speaks of the celebrated note from the French minister, M. Serrurier, which our government would not make public, but sent back to Paris, to demand an explanation. It appears that the French minister de Rigny, as formerly stated, wrote the note, as we supposed. On its return, therefore, with a strong protest from Mr. Livingston, it was an old acquaintance. M. de Rigny forthwith laid it before the king, and it has received the royal approbation—as every intelligent man supposed it would. [*N. Y. Com. Adv.*

"Some attempts have been made to create a belief that the American treaty will not be confirmed by the chamber. No doubt whatever exists among the best informed persons that the question will be carried by what may be considered in these days a respectable majority. Some discussion would seem to have arisen respecting the terms of the note which M. Serrurier, the late French minister to the United States, addressed to the American government, in announcing his recall. This is the note, which, it may be recollected, the American minister declined to make public with the other correspondence upon the subject, alleging 'that it had been considered necessary to submit it to the government of France before it was made public or answered, that it might be ascertained whether certain exceptionable expressions were to be received as the *result of a settled purpose in the government*, or as the *mere ebullition* of the minister's indiscretion.'

"The note thus complained of was, it appears, written by the minister of foreign affairs, admiral de Rigny, and transmitted to M. Serrurier at Washington, as a draft of his communication to the government of the United States, and was almost or altogether literally copied by that gentleman. On its being submitted to M. de Rigny again, with something of an indignant remonstrance on the part of the American minister, he is understood to have laid it before the king and the cabinet, and the result was a unanimous expression of approbation of every line it contained. The document in question seems in fact to contain as little reasonable ground of offence as any reply or commentary upon the message of general Jackson could possibly contain. The indignation wasted upon it is, consequently, so much valor thrown away. Let us hope that our worthy brother will recover his good humor with the payment of his money."

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞Yesterday, the convention sitting in Baltimore, nominated *Martin Van Buren* and *Richard M. Johnson*, as president and vice president of the United States.

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A brief speech of Mr. *Webster*, on the "bill to regulate the deposites of the public money," distinctly gives his views of the bank of the United States—which is, that it must go down; and that he, if he should remain in public life, will wait a "moving of the waters," when *experience* shall have proved that another bank is necessary—as he thinks will happen. He is very plain and clear and explicit on these points—but we refer our readers to the speech itself. His opinions, as we believe, are entitled to the highest respect in this matter, and on every account.

And, although the president has "killed the bank," and with it the opinions of a large majority of the people,* we still hear much about it—as that it is "alive," and crouching to make a grand spring on its opponents, and regain its ascendancy.

The bank has no prospect of a renewal of its charter—and will make no attempt to obtain it. It is quietly winding up its concerns, and will do the best that it can for the stockholders. Its fate is sealed, as stated by Mr. *Webster*—for, to the arrayments of party against it, is to be added the interest of the new banks *already* established, and of a much larger capital, and, perhaps, *ten times* more on "foreign" account, to shew our opposition to "monopolies" and "foreigners!"

Exchange on England is below par—the value of cotton exported is large—*and manufactures are flourishing.* The consequence is, that money is plentiful, and credits abound: perhaps, assisted by loans made by the bank of the United States, (at a certain rate), on its capital, at *five per cent.* interest. Hence, probably, the large amount of its bills receivable.

But this season of prosperity cannot last. A year or two, and the state of things will be changed. Specie will have a reflux—and then the time of trial will come. The excessive credits and speculations of the present time must have a reaction, and it is fearful to calculate the extent of it. We say that such things *will* be, because they *have* been.

—

☞The ink on the preceding was hardly dry when we received accounts from New York, saying the bank of the United States was making sales of bills on England at nine and a half per cent. and that bills had been just sold at *ten per cent.* which is rather more than *one per cent.* above par: and the New York papers have a statement shewing that sovereigns may now be exported at a profit, though so lately they were abundantly imported!† "On such a slender thread hangs" the currency of the country! If this state of things lasts long, *and goes on*, our "eagles will take to themselves wings and flee away"—and there will be a "great time" among all classes of speculators!

The "New York Evening Post" of Wednesday, says—

There is consternation in the money market to day. Stocks are falling, and long faces are to be seen in Wall street. The rage of speculation has driven business nearly to the turning point. Foreign exchange is now at that point where the exportation of specie commences. To add to the panic which this circumstance is occasioning, we understand that the bank commissioners popped in unexpectedly upon some of our banks yesterday, and found their loans extended *fifty per cent.* beyond the amount authorised by their charters. They begged hard not to be reported to the legislature, and promised to curtail instanter. This makes their debtors look blank. *We* do not believe that any serious revulsion in the money market has commenced *yet;* but such a revulsion, and the worst that has been experienced since the war, is not far off."

*Instance—gov. *Wolf* and Mr. *Muhlenberg*, and every member of congress from that state, save one—and some hundred thousand voters.

†Not yet—we think; as compared with our eagles, they are not above par.

There are various reports that have an apparent foundation in truth—saying, that Mr. *Forsyth*, secretary of state, who has left Washington for Georgia, and Mr. *Cass*, secretary of war, who has departed with his family for Michigan, will not return to Washington as members of the cabinet. It is added, that Mr. *Woodbury* will take the place of Mr. *Forsyth*, and be himself succeeded by Mr. *Rives* or Mr. *Stevenson*. No one is named as secretary of war. We give these things as we find them—and without pretending to account for them.

—

The affair between *Ohio* and *Michigan* is settled—for the present. It is said that the parties will wait the action of congress or the judiciary—Ohio running the line.

It is extraordinary, we think, that the populous territory of Michigan should have been so long left in charge of an acting governor, and a mere youth.

The Wheeling Gazette furnishes the following information respecting the extent and value of the territory in dispute:

The territory is about 70 miles long, from east to west, and about 11 miles wide at its eastern extremity, and 7 at its western. It commands the entrance of the great Maumee river, or Miami of the lake. There are two villages on it, both in the eastern part, viz: Toledo, containing 70 or 80 houses, (all built within two years), and another about 8 miles west of Toledo, much smaller. Toledo is on the north side of the Maumee river, 6 miles from its mouth, and is understood to be owned principally by an association of mercantile gentlemen in the city of New York. It is in the township of Port Lawrence, and is located where that name appears on the maps. Large quantities of land in that township were purchased a few years ago from government, in the belief that a canal would shortly be made from Lake Erie, by the Maumee river, to the Wabash, a work to which Ohio, it is said, has given her pledge, and which is now in progress in Indiana. It is feared that if Michigan obtains this territory, the canal will not be made, as that portion only of her citizens who live within the territory would be benefitted; and hence their desire to be attached to Ohio, to which state the canal would be a source of boundless prosperity.

West of the township of Port Lawrence, the country in the disputed territory was a few years ago a wilderness. It has been recently bought up at government prices, ($1 25 per acre), and is filling rapidly.

The other villages in the vicinity of the lake, and in Ohio proper, are, Maumee, on the north side of the Maumee river, 20 miles by water from the lake, containing 60 or 80 houses, and about 500 inhabitants. The township extends to the line. On the opposite, or south side, is Perrysburg, containing about 800 inhabitants. To and from these places steamboats arrive and depart; and it is said an active rivalry prevails between them, each looking forward to the proposed canal passing through one to the neglect of the other.

The mouth of the Maumee river is one of the best positions for an extensive inland commerce in the western country. Speculators see its importance, and have vested large sums in land in the neighborhood. We know to what lengths the desire of gain will carry men—what ill will and strife it engenders—and what crime it perpetrates. Many adventurous spirits have staked their all upon the issue of this territory being attached to Ohio, that their anticipations of gain may be realized, and they would move heaven and earth to effect their purpose.

The following is the proclamation of gov. Lucas:—

'Whereas, great and weighty matters, claiming the consideration of the general assembly of the state of Ohio, form an extraordinary occasion for convening them: I, *Robert Lucas*, governor and commander-in-chief of said state, do, by these presents, appoint Monday the eighth day of June next for their meeting at the city of Columbus, within said state, hereby requiring the respective senators and representatives then and there to convene in general assembly, in order to receive such communications as may then be made to them, and to consult and determine on such measures as, in their wisdom, may be deemed meet for the welfare of the state of Ohio.

"In testimony whereof," &c.

—

Mr. *Muhlenberg* has accepted the Lewistown nomination for the office of governor of Pennsylvania. The "*men of principle*" in this state, quarrelling about their "*interest*," are abusing each other with an exceeding good will, and exposing many of the tricks which they

have heretofore kept concealed from the public.

The "Pennsylvanian" says—

We learn that in reply to the central democratic committee, *Henry A. Muhlenberg*, of Berks, has formally signified his acceptance of the nomination, unanimously bestowed upon him by the democratic state convention of the 6th of May. He is now in the field as the regularly nominated candidate of the democracy of Pennsylvania, and will be triumphantly elected by an overpowering majority over the candidate of the opposition, and the volunteer candidate of the disorganizers. The yeomanry of Pennsylvania move in a mass for *Van Buren and Muhlenberg*, the men of the people—men who are with the people on every political question, and who meet every emergency with unhesitating fearlessness.

And the Philadelphia Sentinel has the following—

The parson's chance. One of the *Muhlenberg* organs of this city, a few days ago, contained the following remark:

"It is our *candid and deliberate opinion*, that there is not the *least chance* of Mr. *Muhlenberg's* election, *otherwise than by his friends identifying themselves completely with the cause of constitutional reform.*"

The convention at Lewistown, which consisted *exclusively* of the *friends* of the *parson*, did not dare to meet that question—they dodged it, just as the parson dodged the *bank question* in congress, and as he evaded the queries put to him by the working men. Not having *completely identified themselves* with it, Mr. *Muhlenberg*, in the opinion of his organ, has not the *least chance* of success. On the latter point, we fully concur with the *Times*. He has not the *slightest chance*.

The Lewistown convention (Van Buren and Muhlenberg) have published a long address to the commonwealth, in which, saith the Pennsylvanian,

"The trickery and manœuvering of the caucusites are laid bare, and the base attempt at betraying the people concocted by George Wolf and his sordid satellites, who at first were smuggled into power, and now are struggling in despair to keep it, is held up to the general gaze, stripped of the glossing and deception with which the officeholders and their organs strive to invest it."

—

Governor Knight, recently of the senate of the United States, from Rhode Island, has been re-elected. For Mr. Knight 41—for Mr. Potter 38: majority 3. A salute of 100 guns was to be fired on the occasion.

—

Col. *White* has been re-elected a delegate to congress from Florida.

—

A coxcomb named *Willis*, who is sending soft nonsense from Europe for publication in the newspapers here, says—

"Her [lady Blessington's] ladyship's inquiries were principally about America, *of which, from long absence, I know very little.*"

The fellow has been absent three or four years!

It is no wonder then that vagabond stage players take the "liberties" that they do with the people of the United States, when *honoring* them by——TAKING THEIR MONEY!

—

A large party of *young women* are about to depart from Massachusetts for the west, under the protection of a gentleman. They will prove valuable as teachers—and wives.

—

It is said that within the past week, the sum of 100 dollars per acre, was offered for 400 acres of land at Fishkill Hook, Dutchess county—an evidence of the high value set on improved farms, in the neighborhood of New York.

And that a seat containing about 15 acres near Hell-Gate, very lately sold by com. Chauncey for 50,000 dollars, has been resold for 120,000! It is five miles from the City Hall, New York.

Sales of real estate, to an enormous amount, and at unheard of prices, have been made in the city and neighborhood of *New York* within the last two months, and also in other of our commercial and manufacturing cities. The most cautious and discreet of the journalists, where the spirit of speculation has spread so rapidly, appear to apprehend a reaction, such as has been heretofore experienced upon similar sudden and unaccountable advances in price of real estate. With the veteran editor of the New York Gazette, "we sincerely hope that the great prosperity and growing wealth of our country will prove that those who have so boldly speculated in real estate have done so to advantage, thereby proving that their judgments were their only guide." [*Nat. Int.*

The following is the report of a committee that was appointed on behalf of the sufferers by the destruction of their baggage, by fire. There certainly is no route in the United States on which persons are treated so much like "live lumber," as in the present rail road line between Philadelphia and New York, whether in the steamboats or cars; and, that if ever an opposition was needed, it is there.

"The subscribers having been appointed a committee by the meeting on board the steamboat Swan, on the 17th of April, to make a representation to the proprietors of the rail road line in behalf of the sufferers by the burning of the baggage car on that day, beg leave to report, that they have had several interviews with Mr. Robert L. Stevens on the part of the proprietors, and that he declares, that they consider the fire to have been caused by the ignition of a quantity of Lucifer matches placed among the baggage, that they were probably placed there by design, and that they do not consider themselves responsible for the loss—*that even were it proved that the fire took place from sparks from the engine, they should not consider the company liable for the damage sustained.* They, therefore, decline making compensation to the losers on that occasion. The subscribers beg leave to add, that they are by no means convinced that the fire did originate from the matches, and that they believe the company to be legally liable for the loss sustained in either case. All further measures must be left to the discretion of the individuals interested.

R. M. STRATTON.
MYER LEVY.
ALLYNE OTIS.

New York, May 6, 1835.

—

It will be remembered that, some five or six months ago, the friends of *Daniel Webster* took measures for procuring a piece of plate, to be presented to him as an enduring evidence of their esteem and respect. A committee of 76 was selected from the community at large, to obtain the necessary funds, and they appointed a committee of 7 to select a suitable model. Upon the recommendation of this latter committee, a massive vase, of the Warwick form, was ordered of Jones, at the cost of $1,500, and the time appointed for its completion is now approaching. Another month will probably see it finished. It will undoubtedly be the most beautiful specimen of this branch of American manufacture ever exhibited in the city. [*Boston Trans.*

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It is stated in the Philadelphia Inquirer that the stock of the Wilmington and Susquehannah rail road has advanced from $6 to $8¾. This rise is understood to be in consequence of several large capitalists having taken hold of the stock, and of the prospect of the speedy completion of the work throughout the whole route.

—

We are sorry to learn that the *cholera* is again visiting some of the towns on the Mississippi.

—

A very destructive fire broke out in Boston on the afternoon of Monday last, in Blackstone street, and was not arrested until about 30 buildings and 60,000 dollars worth of property, were consumed. Several persons, firemen and others, were injured. Many of the houses were occupied by poor families. It was occasioned by the oversetting of a spirit lamp, employed in heating a pot of glue, which instantaneously communicated the flames to every part of the shop.

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The citizens of Baltimore have subscribed $11,000 to the fire beneficial fund, for the relief of disabled firemen, which sum is invested in five per cent. stock in the city of Baltimore, irredeemable and not transferable.

—

By an account of a "firemen's parade" in a Cincinnati paper, we observe that there are 23 engine and hose companies, and about 700 men in the procession, dressed in the uniform of their respective companies. It must have been a pleasant thing to look at—and shews a fine public spirit.

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The Richmond Enquirer of Tuesday contains the following: "*Unexampled rapidity.* On Saturday *evening*, 5 o'clock, we received, by Porter's line from Washington, the National Intelligencer of that morning.

[The mail departs from Washington at 10 o'clock, P. M.—so the distance between that city and Richmond is performed in 15 hours.]

The Catholic "Sentinel," of Boston, makes the following queer retraction—

"*Retraction.* The rev. Mr. *Croswell.* It is justice—not *fear of consequences*—it is that lively sense of honor that is always harbored in the heart of every intelligent *Irishman*, which invokes us to say, that our strictures on the alledged conduct of the rev. Mr. Croswell, a highly respectable Episcopal clergyman of this city, as erroneously coupled, by us, with the publication of the now notorious woman, Rebecca T. Reed, arose from oral misrepresentations. We imbibed the false impressions from mere heresay stories, that Mr. Croswell was a *Methodist* preacher of Charlestown, and that as an accomplice in the falsehoods of the woman, Reed, he was not entitled to the respect and courtesy which we ever have assigned, and ever will award to a divine of our *kindred creed* of the Episcopalian church. If to confess an error, can, in any degree, atone for the injury it might have inflicted on the feelings of the rev. Mr. Croswell, we freely acknowledge, that we are penetrated with poignant regret for having animadverted upon him, as we unwarrantably did, in the two last numbers of this journal. The egregious mistake was, indeed, culpable; for had we known he was an Episcopalian minister, we would, we declare to God! no more class him with an ignorant lunatic camp preacher, than we would associate the talented editors of the New England Galaxy with those dull dunces, who write for the Advocate and Whig."

We have accounts from England twelve hours later—by way of Bristol. It is said—

Lord Grey was sent for by the king on the resignation of the late ministers. The noble earl, it is said, declined, as might have been expected,* the task of forming a new administration, and recommended that application should be made to lord Melbourne, who was accordingly summoned to the royal presence. The interview does not seem, however, to have led to any satisfactory or definite result.

Sixteen bishops, at present on the bench, hold no less than 61 preferments, including their sees, viz: 16 bishoprics, 6 deaneries, 1 chancellorship, 3 archdeaconries, 2 cathedral treasurerships, 8 cathedral prebends, 21 rectories and 2 vicarages!

The 21st of March, the anniversary of the return of Napoleon from Elba, was celebrated by the surviving officers of the ex-imperial guard, now at Paris. It brought to mind many mournful proud reminiscences of the glories of the empire, and among the toasts, was that of their immortal captain.

A foreign journal gives the following account of the funeral ceremonies of the late emperor of Austria. The procession stopped in front of the Capuchin church, and many noblemen and ladies of the church, who waited there, came out to receive the corpse. When they were about to enter the Capuchin convent, for the purpose of depositing the coffin, they knocked at the door of the edifice: "Who knocks?" cried a voice from within. "The emperor Francis I." "What does he ask?" the same voice repeated. "A place of repose." The gate was then opened, and a part of the procession entered the convent. The new emperor had, contrary to the usual custom, followed them: when he was about to enter the cemetery, the prince of Colloredo advanced and said to him: "I take the liberty of assuring your majesty that you cannot enter: it is entirely contrary to immemorial usage." The emperor extended his arm and pushing the prince aside, said, "I shall be guided, sir, solely by my own pleasure." He then entered the cemetery where the body was deposited, in the place prepared many years ago for its reception. The place for the interment of the new emperor is already designated.

Steamer. The Buffalo Whig takes exception to this vile phrase, as applied to steamboats, and expresses a warm and earnest wish that our leading American newspapers would repudiate it—a sentiment in which we heartily concur.

We have often entered our protest against the use of the *Cock-neigh* word, "Steamer." Surely, *we* may name a thing that we brought to perfection! It is indefinite and foolish; and belongs just as well to a tin kettle for boiling potatoes, as a boat moved by steam power.

The *Boston Transcript* says—

The Jingo tree, which grew on the estate of the late Gardiner Greene, and of which we spoke the other day, has been safely removed to the common, where it is to be planted. It is probably the largest tree ever transplanted in this city, being 40 feet high, and the circumference, at 3½ feet from the ground, 4 feet 4 inches. The labor of transplanting it was undertaken by Mr. Sheridan, formerly gardener of the estate. The earth was carefully removed from the roots, and the tree lifted by shears and tackle from the ground sufficiently high to pass under it a low wheel drag. The roots were then carefully covered with mattiaz, and the tree lowered upon the drag, on which it was easily transported, in an upright position, being prevented from falling by ropes attached to the top and held by men who walked along with it to its destination. Mr. Sheridan tells us that there is not the slightest doubt that it will live and flourish in its new location. We hope it may, and prove an inducement to the tran-planting of ornamental forest trees of large growth, instead of young saplins that require so many years before they become either ornamental or useful.

But since then a large tree has been transplanted—as we learn by the following from the same paper:

"About a week since, a sycamore, or button wood tree, fifty feet high, and 7½ in circumference, was transplanted at East Boston, under the direction of Mr. Eddy, the engineer there. It was removed a distance of upwards of twelve hundred feet from its original position, and treated on the principles established by sir Henry Stewart, at Allanton house, Scotland, with the exception that the machinery for raising and setting up the tree was different, being such as could be conveniently obtained at East Boston. The tree now stands in front of the Maverick house. We are gratified to learn, also, that a machine is in building, for the express purpose of removing and transplanting large trees at East Boston, where they are to be a principal ornament to the place."

The Cincinnati Whig states that James H. Caldwell, esq. manager of the American theatre in New Orleans, has obtained from the legislature of Louisiana a charter of a bank with a capital of $600,000, of which he is to be president; that he has sold out his extensive gas works, and his gas charter, for $120,000, and five hundred shares of the stock, worth a hundred dollars per share; and that he is about building a new and magnificent theatre in New Orleans, to be completed in the course of the ensuing winter. He is also owner of a new theatre in Cincinnati, and of a theatre in Nashville, Tennessee. Rather a driving business!

In the late debate in the English parliament, lord *Stanley's* equivocal position was ingeniously illustrated by a member, in this manner:

"Mr. Ronayne, drawing a parallel between the position now occupied by lord Stanley in the house of commons, and that held by the noble lord's ancestor at Bosworth field, referred to the following extract from Hume: 'The lord Stanley of that day raised a powerful body of his friends and retainers in Cheshire and Lancashire,' the historian does not state (said the honorable member) whether he had any Cumberland men in his train—(great cheering)—'but without openly declaring himself, and though Henry had received secret assurances of his friendly intention, the armies on both sides knew not what to infer from his equivocal behaviour. (Great cheering.) The two rivals at last approached each other at Bosworth, near Leicester. Henry with an army of about six thousand men, Richard with an army of double the number, and a decisive action was every moment expected. Lord Stanley, who commanded above seven thousand men,' (a much more formidable tail, observed the honorable member, amid much laughter, than that which his descendant wields at the present day; one which could not be contained in an omnibus, much less in the Derby dilly), 'took care to post himself at Atherstone, not far from the hostile camps, and he made such a disposition as enabled him, on occasion, to join either party.' (Cheers and laughter)."

"THE HOLY INQUISITION!" A curious publication, showing the number of victims that have been sacrificed by the inquisition, has just appeared, and according to which 105,286 fell under Torrequemada, 51,137 under Cisneros, 34,952 under Diego Perez.

Those who suffered under the inquisitors who preceded these three monsters, amounted to 3,410,215. It is reckoned that 31,912 have been burnt alive, 15,659 have suffered the punishment of the statue, and 291,450 that of the penitentiaries. 500,000 families have been destroyed by the inquisition, and it has cost Spain two millions of her children.

A small two story house in New York, containing *six* apartments in all, (in consequence of a fire), has been discovered to have had a population of no less than *thirty* poor Irish families! The garret, (in which there was no partition) contained *seven* families—and the whole of the inhabitants were turned into the street with scarcely a rag to cover them, being too much hurried to pick up the apologies for clothing that they had.

*He is 71 years old.

It is stated that—

"Of *one hundred* young ladies, in the Roman Catholic "Nazareth" school, at Bardstown, Ky. *ninety three* are children of Protestants."

Now—IF the ninety-three are all "converted," by the zeal of the ladies who manage the seminary, is not *that* a good reason for pulling down their establishment about their ears? Such is the logic that prevails concerning this matter. The *parents* of the children have nothing to do with it!!!

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The "Globe" of the 7th said—

"The probability is, that the great majority anticipated will be somewhat diminished by the *indiscreet* publication of Mr. Livingston's correspondence by congress, to which the president was bound to communicate it for its information, but which the houses were by no means bound to publish to the world."

Now the "Globe" itself committed the "*indiscretion*" alluded to, and, in its *daily* report of the proceedings of congress, has this correspondence—as we find by turning to the file of that paper! Not to have printed the papers would have been "disrespectful" to the president—*for he had sent them for that purpose;* and an attempt to suppress them, after reading them *publicly* in the house, would have been the essense of folly.

The following is the conclusion of the debate about printing:

Mr. Sutherland thought, perhaps, it would be as well for the house to postpone *printing* the correspondence, until the *report* from the committee on foreign affairs had been made, which would be to-morrow, so that the correspondence and the report of the committee might go out *together*.

Mr. Cambreleng withdrew his motion to print the message and documents.

The motion to print having been withdrawn.

Mr. Watmough rose and said: Mr. Speaker, whatever may be my opinion with regard to the correspondence we have just heard read, I do not propose to express that opinion at this time: it would be unreasonable and quite improper. I rose simply to renew the motion to print, which had just been withdrawn. I think, sir, that much greater injury would result to all the great interests of the country from the ex parte statements, which would be the inevitable consequence of the determination to withhold the information we have just received, than can possibly arise from a full perusal of the documents. I therefore, renew the motion to print.

Mr. Wilde stated to the house that the printing of all the papers had already been ordered by the senate.

Mr. Jones, of Georgia, was in favor of the printing. The committee on foreign affairs were to report to morrow measures founded in part of these papers, and the house ought to have the whole before them. Could the gentleman from Alabama, (Mr. *McKinley*) expect that after these documents had been read at the clerk's table, the editors of papers would abstain from noticing them in the public prints? It was impracticable now to keep them concealed; nor were it otherwise, would their concealment be desirable or proper.

Mr. Adams said he hoped the gentlemen who were opposed to the printing would withdraw their objections. If the object was to avoid excitement, an attempt to conceal the papers would counteract it effectually. The public mind would be far more excited by knowing that they had been received but withheld, than by their publication. Indeed he saw nothing in these documents to cause much excitement beyond what already existed. He hoped they would be printed.

Mr. Lytle said that if there was any mischief to grow out of these papers going before the public eye, it was already done, by the reading of them in the hearing of the reporters, and of the vast concourse which at that moment crowded the galleries of the hall. As a cure for the evil he proposed that the resolutions which had been offered should be referred to the committee on foreign affairs, with instructions to report them to the house.

The *chair* pronounced the motion out of order: the resolutions were not before the house.

Mr. Burges hoped the papers would be printed. He saw nothing in them to excite the public mind. *They had been openly communicated to the house, with no injunction of secrecy; and why should the house attempt to withhold them from the nation?* He thought the house should on this, as on all other matters, proceed step by step with the other branches of the government.

The printing was ordered.

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PALM LEAF HATS. The braiding of (these) hats is an important and increasing business, which has sprung up within ten years past, and which is doubly valuable in consideration of its moral influence, inasmuch as it offers a remunerating *domestic* employment for thousands of our industrious countrywomen. Few are aware of the extent to which the manufacture is carried on in the country towns. In Ashby, in Middlesex county, according to the Yeoman's Gazette, 50,000 hats are braided annually, *for which the braiders* (more than half of whom are girls and small boys), receive between six and seven thousand dollars.

This is not a high compensation for the amount of labor bestowed; but the advantage is that this labor may be bestowed at odd times, and by those who might otherwise remain unemployed. In Petersham and Barre, in Worcester county, great numbers have been made. We have been told that a single commission house in New York, sold hats made in that county in one year, to the amount of ninety thousand dollars. The southern market was for a great while the principal outlet; the sales have fluctuated considerably, and the prices have been gradually coming down.

Recently, large quantities were shipped to France and sold readily with a profit, at one-quarter of the rate at which the English had been in the habit of selling an article not as handsome, though rather more substantial. The French government have somewhat checked the trade, by imposing a duty of one franc (about twenty cents) on the finer kinds of these hats; the consequence is, that the common ones are now principally sought for export.

In this county the business has been prosecuted to some extent. A dealer in this town, who commenced a few weeks since, has already a hundred and fifty braiders employed. In Shelburne and in other towns, we believe that a considerable number are made. [*Northampton Courier.*

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RAIL ROADS AND CANALS, AND IMPROVEMENTS.

We learn that nearly *two millions* of dollars were subscribed for the stock of the Long Island rail road—being an excess of half a million over the capital. The books were also opened in Kings, Queens and Suffolk counties, where it is supposed that upwards of half a million more of the stock will be subscribed.

From the Franklin Repository, published at Chambersburgh, Pennsylvania, we learn that the merchandise carried by wagons through that town, to and from Baltimore, during the past six months, has paid more toll at the turnpike gates than for a similar period during the last 15 years. From the 1st November to 1st May, the receipts stand thus:

1820	$2,120 00
1825	2,020 90
1830	2,646 30
1835	3,487 17

The last Missouri Republican announces the arrival of the splendid steamboat Mogul, at that port from New Orleans. She is the largest boat that ever ascended to St. Louis; being capable of carrying 700 tons down stream.

Improvements are now in progress to lock and canal round all the falls and rapids in the St. Lawrence, between Montreal and Lake Ontario. The lockage required is about 175 feet, and of canal 31 miles, in short sections. For the residue of the distance, the boats will take the river, and rely on steam. The locks are to be 200 feet long, 52 wide, and 9 feet deep in the chamber. The success of the canal and locks, in passing large steamboats round the fall on the Ohio, near Louisville, has demonstrated that the same thing can be done on the St. Lawrence. The Welland canal, connecting Ontario and Erie, is to be enlarged, with locks to correspond.

The stock of the Baltimore and Ohio rail road company, which has been for some time past steadily recovering from its depression, was yesterday sold at its par price of $75 per share. Some sales are said to have been made at somewhat higher prices. There are various causes for this advance, among which we may briefly mention, the appropriation by the state of two millions for the completion of the canal to Cumberland—a work with which the rail road is now connected at two points and will soon be at a third; the near completion of the Washington rail road, from the operations of which a handsome revenue is anticipated; and the completion, a month or two afterwards, of the Winchester rail road, forming an extension of the Ohio road from Harper's Ferry thirty miles into the valley of Virginia. The understanding, also, that transfer books are about to be opened in Philadelphia and New York, has likewise contributed to enhance its value. [*Balt Am. of May* 16.

A steamboat is now on the *Susquehannah*, plying between Owego, N. Y. and Wilkesbarre, Pa.

A bull-fight with steam—A few days since, as the locomotive steam engine was passing along the Columbia rail road, the engineer espied a noble bull driving across the field, apparently to give battle to the machine. He was coming at the top of his speed, his tail stuck right into the air, and his head down, as if for immediate attack. As the bull-errant rushed onward, the director checked the car, and received the blow upon the front wheel. The animal recoiled several steps—the puffing of the steam pipe seemed to challenge him to a second onset, and on he came, bellowing and tearing up the earth, while his eyes seemed to shoot forth baleful fire. The engineer thought that his safety consisted in moving; he therefore put on the whole head of the accumulated steam, and the car started like the wind. The enraged beast struck short of his aim, he missed his footing, and rolled down a high embankment, to the infinite gratification of those who had watched his behaviour, and to the glory of the engineer. [*U. S. Gaz.*

More passengers were carried on Monday the 11th inst. over the rail road between Newark and New York than any other day since its opening—the number being upwards of 750. The

press was so great that half a dozen extra cars were employed during the day. This besides the private and other public conveyances.

A Winchester, Va. paper says—The cars which leave Baltimore at 5 A. M. reach Harper's Ferry at 1 P. M.—the stages finish the journey to this town early in the evening. In all the month of August, or September at farthest, we trust, passengers will reach this town from Baltimore by 3 P. M.—a convenient dining hour.

The Western Farmer, a new agricultural paper published at Cincinnati, contains a plate representation of a machine to cut grain in the field by horse power, something like the horse rake. The machine is on wheels, which are driven close beside the standing grain, with cutting instruments projecting into it, and moved by a cog wheel. To keep the straw erect while it is cut, two rows of pikes, one above the other, point forward into the grain, and the cutters play between them.

Berwick, Columbia county, Pa. May 2. On our return from court last week, we brought it in our way to pass the new road nearly opposite Cattawissa, of which we have heard so much. To us it is a matter of astonishment that a road surpassed by none in this section of country, could have been cut (in many places) through a solid rock of perhaps sixty feet in height, during about three months of the most inclement weather of the preceding winter.

There will shortly be four great artificial channels conducting into the reservoir of Lake Erie the produce of the western world, on its route to N. York city. 1. The Ohio river, connected with the Erie canal by Olean and Alleghany canal; and the cross-cut from Sandusky to Akron on the Ohio canal, opening an inland communication from the interior of New York and Pennsylvania, with the interior of Ohio, without the intervention of Lake Erie. 2. The Wabash and Erie canal, terminating at the mouth of the Maumee, and extending thence by a cross-cut to Sandusky. 3. The Mad river and Erie rail road. 4. The canal from Lake Michigan to Illinois river.

There is no pause, no stop to the inventive genius of our countrymen. A physician of Boston has invented a machine, consisting of numerous hammers which go by steam, the force and rapidity of which will enable the owners of the rich granite quarries of Massachusetts and New Hampshire to dress and hew blocks of this hard rock for building in a very short time, and at a cheap rate. This had been a serious difficulty, and it is now overcome.

An iron bridge of a single arch—one hundred and eighty six yards span—has recently been erected in the Gironde.

The Hudson (N. Y.) and Berkshire (Mass.) people are bestirring themselves to unite the two places by a rail road. Distance 26 miles—estimated cost $280,000. It is supposed 34,000 tons will be annually freighted over it, and 17,000 passengers, and that the whole will yield annually $120,000. The stock has all been taken.

It is stated in the New York Journal of Commerce that a company has been formed for the purpose of establishing a steam ship communication between New York and Liverpool. The new marine engine of our countryman, Dr. Church, is to be used. The first ship is to be built immediately.

Amount of produce received at Cincinnati, by the Miami canal, between the 1st of January, and the 1st of April, 1835, during which time the canal was closed about 6 weeks.

Flour	15,612	bbls.
Whiskey	10,168	"
Pork	5,860	"
Lard	270	"
"	14,039	kegs.
Bacon	483	hhds.
Bacon and B. pork	2,600,937	lbs.
Beef	120	bbls.
L. seed oil	120	"
Corn	4,425	bush.
Clover seed	193	"

Engineers are now at work, surveying the route of the *Wabash and Erie* canal.

The *New York Star* says—"The Pennsylvania canals and rail roads have cost 25 millions of dollars. The canals of Ohio, 5 millions; and the canal about to be constructed by Ohio and Pennsylvania, will cost two millions more, making altogether 32 millions. Baltimore then, which by the short cut from Columbia in Pennsylvania to the Maryland line, will receive nearly all the profits of this vast expenditure by diverting the western trade to her city, has reason to rejoice in her fortunate position and in the prodigal liberality of her sister state."

In Paris a M. d'Asada has been very successful in experiments with a steam carriage for common roads. He has recently made several excursions out of Paris at a speed of from ten to twenty miles an hour. A French paper says that the result of his trials is sufficient to dispel all doubts as to the practicability of applying steam as a locomotive power on common roads.

The New York papers are warmly urging upon the corporation and capitalists of the city the construction of the Hudson and Erie rail road. They declare that it is only by making this road that their city can maintain the commanding station she now enjoys. Their reproaches against the state and city for their backwardness are, we think, not without justice. Her neighbors seem to have learnt more from the great experiment with the Erie canal than she has herself. Although the misgivings and forebodings in regard to the success of that work have been so wonderfully falsified, doubts exist as to the result of an undertaking for whose triumphant success there are similar causes now existing, magnified and multiplied by the growth of the city itself and of the interior.

For several years previous to the completion of the Erie canal, the New York Times states that the taxable value of real estate in the city was stationary, at an average of almost $52,000,000. "The moment the waters of the lakes touched those of the ocean it received a new impulse." It now exceeds $114,000,000, having more than doubled in ten years. The value of property along the district of country through which the canal passes has increased in like ratio. This canal is now so crowded with boats that much of the trade to which this is the best channel will have to seek other outlets. Besides this, the route of the proposed rail road passes through a region rich in all kinds of capabilities that will be immediately developed by the construction of this road.

A great scheme of internal improvement has been projected at Louisiana, and promises successful completion. The legislature of that state have chartered a company, attaching to it banking privileges, under the title of "The Atchafaylaya rail road and banking company," obliging it to construct a rail road, from some convenient point on the Mississippi river to the rich districts of Opelousas, Lafayette, St. Martin's and St. Mary's, and thereby to secure a trade to New Orleans in the products of that opulent section of country. The capital of this company consists of $2,000,000, with power to increase it to $4,000,000, divided into shares of $100 each.

[The subscriptions for the stock in this company took place on the 4th Monday of last month; and the sum was, no doubt, made up].

Three steamboats, thirty two schooners and one brig left Buffalo on the 8th inst. for Cleveland, Detroit and Chicago. If, says the Pittsburgh Gazette, our cross cut had been completed, the whole amount of this freight might have been delivered at Detroit, and even at Chicago, before it did leave Buffalo.

Every day furnishes additional evidence that the Mahoning canal is destined to become the most important work in the union, in proportion to its cost. We trust then that no exertion will be spared to hasten its completion.

BANKS AND BANKING, &c.

The legislature of Pennsylvania passed a law at its late session extending the charter of the Mechanics' bank in Philadelphia for twenty years, and authorising an increase of its capital of $700,000. Attached to this is a demand for a bonus of $100,000, to be subscribed by the bank to the stock of the canal from Ohio into Pennsylvania, by the Mahoning route. We understand that it is further provided, that this stock of 100,000 dollars shall in seven years revert to the state; but should any circumstance prevent the making of the canal, then the bank shall, in 1841 and '42, pay into the state treasury the bonus of $100,000. The bill gives to the city an additional banking capital, and aids at the same time a great project of internal improvement, highly important to the state at large, and to the city in particular.

The cashier of the bank of Virginia has given notice that the president and directors of that bank will receive proposals until the first day of June next, for *five thousand shares of additional stock*—each share $100. "No offers, at a less advance than seven and a half per centum on the *par* value of the stock, will be accepted."

The additional stock was authorised by the legislature, to meet the subscription on the part of the bank to the stock of James River and Kanawha company.

Five per cent. stock of the city of Boston, payable in twenty years, was sold there by auction a few days ago at 7¼ premium. The money thus invested, will produce for the whole term, a little over four and a quarter per cent. interest per annum.

The editor of the New Orleans Bee, in reply to a paragraph in the eastern papers; questioning the correctness of a previous statement, *reasserts that the whole capital of the Citizens' bank of New Orleans, nine millions in amount, has been obtained on loan in Holland!*

The banks in this city refused to receive *one dollar bills* in deposite except their own notes, either from individuals or in any other manner. They will not receive each other's bills of that denomination. We are informed that this policy has been adopted by all the banks in the state. The operation must certainly be to continue in circulation as long, as possible, the ones, and to put the holders to much trouble and expense to return them to the banks where they were issued. [*Utica Ob.*

In one day, recently, *five tons of specie*, belonging to the U. States bank, arrived in Philadelphia, from Pittsburgh.

The Philadelphia papers contain a call of the commissioners for taking stock in the "*Philadelphia fire and inland navigation*

insurance company," stating that, on a certain day, the books would be opened to receive subscriptions to the stock—five dollars to be paid on each share, at the time of subscribing, &c. This is signed by *fifty eight* persons. And—

"In compliance with this call, a large number of our respectable, honest and industrious fellow citizens assembled at the time and place appointed, when, to their utter astonishment, they were told by some of the commissioners in an impudent and triumphant tone, that the stock was all taken by themselves, and that they were willing to sell their shares to any one for $150, advance.

"On waiting about an hour after the time appointed, the commissioners, like a parcel of frightened rats, were seen sneaking out of a private door, apparently quite pleased with their success, and the handsome manner in which they had *gulled* their fellow citizens."

Books for subscription to the stock of the bank of Charleston, at Charleston, South Carolina, will be opened in that city, on the first Monday and Tuesday in June next. The capital of this bank is to consist of twenty thousand shares of one hundred dollars each. The charter provides that in case of an excessive subscription, all shall be proportionably.

The Philadelphia Gazette of the 30th inst. says—"In an article on this subject in yesterday's paper, we stated that the true par of exchange on London was $4 87½ for a pound sterling. According to the ordinary mode of computation, which assumes $4 44 and an endless fraction of a dollar as the par, a premium of 9 per cent. would make a bill cost $4 88, which is so near $4 87½, that, for all practical purposes, it will be sufficient to recollect, that, when exchange is quoted in the newspapers at any rate less than 9 per cent. *above* par, it is really *below* par, and the fact of its being below par, is the reason why coin does not go to Europe."

[The *legal* par is 480 cents—but the convenience of considering the penny sterling as two cents, induced it.]

A few days since, an old man called at the bank of the U. States and took away a bag containing a thousand Spanish pillar dollars, which bag and dollars he deposited for safe keeping seventeen years ago. At the time the deposite was made, the cashier urged that he should be allowed to loan the money on bond and mortgage. But the man said he believed it would be *safe* in the vault of the bank. It has been safe, for the old man finds his bag and dollars just as he left them; but if he had permitted the money to be used, it would have been quite as safe, and the cashier remarked that he should in that case have had full $4,000 to pay him. The old man has now screwed up his resolution and parted with his long loved dollars, at two per cent. premium. [*N. Y. Jour. of Com.*

The bank of Kentucky has commenced business. The capital of this bank is five millions, of which three are called in—of the Northern bank of Kentucky four millions, and of the Louisville bank 1,500,000. The latter has done an excellent business. The bank of Kentucky has notes with good likenesses of gov. Shelby and Mr. Clay.

Austin Sherman, a director in the Mechanics' bank of Paterson, which failed disastrously a year or two since, has been convicted at Newark, on an indictment for a misdemeanor in *overdrawing the bank*, and sentenced to the *state prison* for three years! There must have been some strong circumstances in the case, from which *fraud* was inferred, to induce such a punishment for such an offence. [*New Brunswick Fred.*

A new bank with a capital of 300,000 dollars, has been incorporated at Lewistown, Pennsylvania.

An act to amend the act entitled "an act to create a fund for the benefit of the creditors of certain moneyed corporations, and for other purposes," passed April 2, 1829.

Passed May 11, 1835.

The people of the state of New York, represented in senate and assembly, do enact as follows:

§ 1. It shall not be lawful for any moneyed corporation to charge, or in any manner receive, the premium of exchange on any draft made by such corporation, which shall be used or applied in the payment of any bill, note or other demand due to or discounted by such corporation, or to be interested directly or indirectly in the premiums on drafts which may be drawn or sold by any other corporation or by any individual.

§ 2. It shall not be lawful for any moneyed corporation to be in any manner, directly or indirectly, interested in the fees of any notary public, or entitled to or to receive any share of the same, in any manner whatsoever; and any officer or clerk of such corporation being a notary public shall not be entitled to charge or receive more than fifty cents for protesting and giving the requisite notices upon any note or bill of exchange, check or draft, payable at the office of such corporation: nor shall any such corporation or any of its officers or clerks charge or receive any sum for a notice upon any note, bill or draft which is not duly protested, nor shall a notary receive any fees for protesting or giving the notice on any note, bill of exchange, check or draft in which any moneyed corporation shall be interested, of which such notary shall be a stockholder.

§ 3. It shall not be lawful for any moneyed corporation to place in the hands of any person, directly or indirectly, any money or bank notes for the purposes of loaning or discounting of paper, or under any pretence whatever of discounting or engaging that any moneyed corporation shall discount any note or draft, if presented at its counter.

§ 4. No cashier or director of a moneyed corporation within this state, having banking powers, shall hold the office of director in any other moneyed corporation holding its charter under the safety fund system.

§ 5. The bank commissioners shall have power, and it shall be their duty to examine under oath the officers of all banks subject to their supervision, as to any offence against the provisions of this act; and shall report to the legislature the names of any such corporations as shall offend against the provisions of this act, or who shall adopt and pursue any course of business with the intention of receiving more than the legal rate of discount.

§ 6. The commissioners shall be authorised to apply to the chancellor, pursuant to the eighteenth section of the act hereby amended, for an injunction against any moneyed corporation who shall violate any of the provisions of this act, or who shall adopt or pursue any course of business which by this act the said commissioners are directed to report to the said legislature, and the court of chancery may proceed in the same manner as in any case now provided for by the eighteenth section of the act hereby amended.

MARIANA. It may be remembered by our readers, that some months ago, we had occasion to refer to a man named Mariana, as having been surrendered by the authorities of this state to the French consul, and sent out of the United States (though showing his certificate of naturalization as an American citizen), to be tried for murder.

In a Paris paper, the Journal du Commerce of 25th March, we find the following notice of the fate of this man:

The assize court of Guadaloupe has condemned to death the Genoese Mariana, the murderer of the pilot Vaille. The verdict was unanimous, after a trial of four or five days, during which more than a hundred witnesses were examined, and their testimony left no doubt of the guilt of the accused.

It will not have been forgotten that Mariana, after assassinating Vaille, at Point Petre, succeeded in escaping to St. Thomas, and thence to New York. It was in this last city that he was arrested, on the demand of the French authorities, and through the zeal of the American magistrates, put at the disposal of the tribunals of Guadaloupe. The scars of several poignard wounds found on his body, by physicians called in to examine him, would seem to give some countenance to the report that he had been concerned in a revolt on board some ship, and in massacreing the crew after a desperate resistance.

The firmness and presence of mind of the prisoner, never deserted him an instant, amid the unanticipated incidents of this long trial. To every charge he had always some ready answer, confining himself, moreover, to a steady denial, admitting nothing, and insisted that malice alone prompted the overwhelming, and, as he called it, concerted evidence, of the witnesses.

Mariana listened, without emotion, to the sentence of death. For a moment he seemed about to ask forgiveness of heaven, while kneeling and listening to the exhortations of the presiding judge, but springing up suddenly, he indicated by gestures, that he had made his mind up to his fate.

He was subsequently executed.

The just punishment of a murderer cannot but be approved by men of all nations, but the question presented by the facts of this particular case is, *what is the value of American citizenship?*

This man, *Mariana*, a fugitive from justice, and just landed on our shores, obtained a certificate, which we saw, that having conformed to the naturalization laws of the United States, he was entitled to be, and from the date of the certificate was, a citizen of the United States!

Is it not time that this privilege, so grossly abused, of making citizens, should be taken from all state courts and restricted to those of the United States, and that too, under such sanctions as shall prevent the recurrence of such an abuse, as the case of Mariana exemplifies? [*N. Y. American.*

PRESIDENTIAL CONVENTION.

Proceedings of a convention of delegates appointed by the "democratic republicans" in the several states of the union, assembled in the city of Baltimore, May 20, 1835, for the purpose of nominating candidates for the offices of president and vice president of the United States.

Wednesday, May 20.

The members of the convention having assembled at the place of worship of the fourth Presbyterian church, at 10 o'clock,

Mr. *Kremer*, of Pennsylvania, stated the objects of the meeting, and on his motion the honorable *Andrew Stevenson*, of Virginia, was unanimously called to the chair.

Mr. Stevenson accordingly, upon taking his seat, arose and delivered the following *address;*

To be called, unanimously, to preside over the deliberations of an assembly so numerous and enlightened as this, at such a time, and on such an occasion, is an honor that any man might justly be proud of. It would be an unworthy affectation in me, gentlemen, if I did not say that I receive with deep sensibility this high and distinguished mark of your confidence and favor, and shall cherish it through life with feelings of profound respect and affectionate gratitude. On my part I can only promise an honest effort to justify the choice you have made,

by the manner in which the duties of the station shall be performed. To enable me to do this with honor to myself and satisfaction to you, I shall need and expect your firm co operation and considerate indulgence.

Although I am quite sure, that you require no admonition from me as to the manner in which your proceedings and deliberations ought to be conducted, I shall be pardoned by you I hope, in seizing this occasion to offer one or two suggestions, for your consideration. The objects for which we have assembled, apart from considerations of personal honor and character, are of a nature which especially demand, that the proceedings of this convention should not only be conducted with deliberation, dignity and order, but marked by a spirit of the utmost harmony and union.

We are here, gentlemen, to perform a high and important duty to our country! Our venerable chief magistrate, following the example of illustrious predecessors, and with a patriotism worthy of himself, has already made known his determination, at the end of his present term, to retire to the shades of private life, and a successor is to be appointed! As the period for this important election approaches, efforts will no doubt be made to divide and distract the republican party, and put in jeopardy, and possibly defeat the election of a president by the people, in their primary colleges—a result, deeply to be deprecated by all who love their country, its repose, and union. Under such circumstances, we must all be sensible, that the union of our friends, and an election by the people, can only be secured by harmony, and concert, and by an adherence to the good old usages of our republican fathers.

The amendments to the constitution, securing to the people this important election, so often and zealousy pressed upon congress and the nation, by our venerable president, having failed, the democracy of the union have been forced to look to a national convention, as the best means of concentrating the popular will, and giving it effect in the approaching election. It is in fact, the only defence against a minority president; one which prudence recommends, precedent sanctions and experience has proved to be effectual. We have been sent here from different parts of our extended country, to interchange freely sentiments and opinions, and present to the people two of our fellow citizens for these high executive offices. To do this with effect, and secure the triumph of our principles, we must avoid every thing like sectional feelings and jealousies, and be willing to sacrifice all personal predilections and preferences. We must endeavor to reconcile, rather than create partialities.

Whatever may be our individual wishes in regard to the election, however we may prefer a northern, southern, eastern or western man, we cannot expect a gratification of them, by placing the decision of the question on sectional considerations. Nothing, gentlemen, can be more inconsistent with a choice itself, than to regulate it by views, which if acted on in the four quarters of the union, must inevitably prevent its being made at all; saying nothing of the fatal effects of geographical divisions, all must know that it is impossible to determine the balance of eventual numbers in the union in favor of any one division. It would be the height of visionary speculation to attempt to estimate the strength of this, or that section as being superior to any one of the remainder eighteen months hence.

Local views, in state politics, may yet be dangerous, but they become highly so when extended to the nation at large, and on a subject of this character.

There was a time, gentlemen, fresh in the recollection of all, when they brought us to the very verge of a dangerous collision, and on a question too, much less calculated to enlist state prejudices than this! The lesson we received cannot so soon be forgotten. It should continue a long time as a political beacon, indicating on what occasions and to what extent our union may be put in jeopardy. Wherever, therefore, it becomes necessary for numbers to co-operate, individuals ought not, and cannot expect to enforce their own views, but must unite with others at that point, which most nearly approaches the wishes of all.

Imagine for a moment (by way of illustration) that on an emergency, the gallant crew of a vessel, should disagree about the course to be taken—what, gentlemen, would you think of the sagacity and prudence of that individual, who would propose the expedient of cutting up the noble ship, that each man might seize his own plank, and steer for himself!—I leave the application to you!—Democracy in our country, gentlemen, cannot exist and be effectual, without mutual concession and compromise; and if union is essential to safety, it must often be preserved at the expense of some sacrifices!—On this subject no argument can be drawn, or means employed in reference merely to the locality of the individuals! The stations are to be filled, and they who fill them, should know that their elevation has not been caused by their being in this, or that section of the union, or their having been born near the spot where the first revolutionary blood was spilt, nor obstructed in consequence merely of their residence being on the waters of the far west! Far otherwise.—Let the inquiry be, who is he that will combine the greatest republican strength, in relation to the nation, and best preserve the unity of the democratic party? Who is he that best understands the principles and nature of our government, and will administer it in the true spirit of the constitution? Who will carry out the principles of the Jeffersonian era, and general Jackson's administration; an administration which has done so much to advance the prosperity and happiness of our country, and place it on the noble eminence on which it now stands! Such men, the candidates of no section, but the candidates of the people, ought to be supported.

Gentlemen, to succeed we must continue to be united and vigilant—for it is only by perpetual vigilance that liberty is to be preserved. The people are as yet victorious, and the democratic spirit like the genius of liberty is pervading the land; but the enemy is still in the field and prepared for battle. If his motto be to divide and conquer, let our's be union and safety.

This is the spirit and temper in which we should act, and these the considerations that suggest themselves to my mind. I throw them out for your consideration, you will give them the weight they merit. Let me, in conclusion, again remind you that the subject is one, not only highly important, but dear to the people, and that it is our solemn duty to take care that in our hands it receives no injury. I ardently pray, gentlemen, that our deliberations may be harmoniously conducted, and that the result of our labors may promote the union, prosperity and happiness of our beloved country.

The address was loudly and frequently applauded by the assembly, evincing upon the part of the members great unanimity of feeling, and a cordial approbation of the sentiments expressed.

After Mr. Stevenson took his seat, prayers were offered up in behalf of the convention, in a fervent, feeling manner, by the rev. Mr. Clarke, of this city, at the request of the committee of arrangements.

The names of the members were called, and there was found to be

16 from Maine; 20 New Hampshire; 18 Massachusetts; 7 Vermont; 8 Rhode Island; 6 Connecticut; 42 New York; 63 New Jersey; 60 Pennsylvania—a double set of Wolf and Muhlenberg "men;" 14 Delaware; 188 Maryland; 100 Virginia; 15 North Carolina; 3 Georgia; 13 Kentucky; 18 Ohio; 11 Indiana; 2 Mississippi; 2 Missouri; 3 Louisiana; 2 Michigan; 1 Arkansas; none from South Carolina, Tennessee, Alabama, and Illinois.

At the morning session of Thursday the organization of the convention was completed, and six vice presidents and four secretaries appointed.

A resolution was submitted, declaring that the number of votes should be according to the votes given by the several states for president and vice president. It was opposed—but carried 231 to 210.

Other proceedings being had, the *double* set of delegates from Pennsylvania came up—each regarding itself as representing the "genuine democracy" of the state, and considering the other apostates, &c. But finally, *both* were admitted—which satisfied neither party.

THE SENATE OF THE UNITED STATES.

We present the two following calculations of the next senate of the United States.

From the Journal of Commerce.

The political complexion of the 24th congress will be as follows:

	Whig.	*Jackson.*
Maine,		2
New Hampshire,		2
Massachusetts,	2	
Rhode Island,	2	
Connecticut,	2	
Vermont,	2	
New York,		2
New Jersey,	1	1
Pennsylvania,		2
Delaware,	2	
Maryland,	2	
Virginia,	2	
North Carolina,	1	1
South Carolina,	2	
Georgia,		2
Kentucky,	2	
Tennessee,		2
Ohio,	1	1
Indiana,	1	1
Illinois,		2
Louisiana,	1	1
Alabama,		2
Missouri,		2
Mississippi,	1	1
	24	24

It will be seen that we have included in this table the two members *to be* elected from Mississippi and Tennessee. We have done so, because their political character can be predicted almost to a certainty. With these exceptions the senate is full.

We have classed Mr. Hendricks, of Indiana, and Mr. Mangum, of North Carolina, with the whigs, though their political character, particularly that of Mr. Hendricks, has been in dispute ever since their election. Mr. Moore we have classed with the Jackson men, because in his printed address to the people of Alabama, he expressly declares himself to be so.

We make, then, with the casting vote of the vice president, (and possibly without) a bare majority of Jackson men in the senate; and will probably be increased by the instructions that will be given to the senators from Virginia by the legislature of that state—from which will result either a resignation, or a conformity to the instructions. The views of the people of Virgi-

nia are such, in regard to the doctrine of instructions, that one or the other of these alternatives will be unavoidable.

From the New York Evening Star.

The Journal of Commerce publishes a list of the senate, together with a statement of its political complexion, which may perhaps, obtain circulation and credit, notwithstanding its inaccuracy—for who can suppose any list to be correct which puts down White as a Van Buren man? The right mode of ascertaining the state of politics in the senate, is to make the question what it really is, *Van Buren and anti Van Buren: Jackson is functus officio.* It is useless to use his name any longer as a shield to Van Buren. Kendall and the vice president have the government now in their hands. The president is too feeble to attend to any business. The senate will stand as follows:

	Van Buren.	*Anti-Van Buren.*
Maine	2	
New Hampshire	2	
Massachusetts		2
Rhode Island		2
Connecticut		2
Vermont		2
New York	2	
New Jersey	1	1
Pennsylvania	1	1
Delaware		2
Maryland		2
Virginia		2
North Carolina	1	1
South Carolina		2
Georgia	1	1
Kentucky		2
Tennessee		2
Ohio	1	1
Indiana		2
Illinois	2	
Louisiana	1	1
Alabama		2
Missouri	2	
Mississippi		2
	16	32

We have here set down gen. McKean, of Pennsylvania, as decidedly opposed to Van Buren—committed as such, although a friend to general Jackson. Mr. King, of Georgia, is by no means committed to the fortunes of Mr. Van Buren. In Tennessee, Mr Grundy will go with his state, which is, we may say, unanimously against the vice president. In Indiana, they may both be called anti Van Buren, though both are friendly to general Jackson. The same is the case with Alabama. In Mississippi, there is a senator yet to be elected, and he will not be a Van Buren man. The errors which many calculations have produced as to the strength of parties in the senate, have arisen from giving Van Buren all Jackson's strength. Throwing aside all doubtful votes, the whigs have a majority of *four;* and on Kendall's appointment—mark our prediction!—the vote will be 32 to 16, spite of Kendall's assurances that he intends to do his duty in the post office, without reference to politics. *Jackson is about leaving the political field, and any vote in the senate will not be in reference to him. He has nominated Mr. Van Buren as the next president of the United States! Will the senate, by their votes, confirm this nomination?* We say the senate will not.

BALTIMORE LOCOMOTIVE ENGINES.

The following is an account of some of the locomotive engines that are now plying on the Baltimore and Ohio rail road. They are all of *American* manufacture, and the knowledge acquired in their construction is exceedingly valuable—besides, they cost less than the imported engines.

From the Albany Daily Advertiser.

We are indebted to James H. Bell, esq. a civil engineer of great talent and merit, for some very interesting documents in relation to rail roads. Amongst others we have the 8th annual report of the Baltimore and Ohio rail road company. Eighty-two miles of the road from Baltimore to Harper's Ferry were finished last fall. The lateral road to Washington will be completed some time the ensuing summer.

We notice two things in relation to this road which are worthy of comment, the peculiarities of the locomotives and passenger cars.

The former are built upon a different principle from those of Stevenson the English engineer, and the latter are peculiarly adapted to American rail roads.

The names of the locomotives are the *Atlantic, Traveller, Arabian* and *Mercury*, built in the order we have named them, These are all in successful operation.

The Atlantic has an upright tubular boiler, the tubes are of hammered iron 16 inches in length and 282 in number. The two steam cylinders stand upright, are 18 inches in diameter and having 20 inch stroke. The connecting rods and crank turn a shaft, which carries a spur wheel 28 inches in diameter—the spur wheel drives a pinion — inches in diameter, on the axle of the forward road wheels of the engine, which are 35 inches in diameter. Anthracite coal is used in the furnance exclusively, and a fan wheel is driven by the waste steam from the cylinders.

The Traveller varies from this in having its pinion on a separate shaft about 3 feet in front of and parallel to the road wheels.

The gearing from this shaft is outside the frame of the engine, having connecting rods, and cranks at the ends of the axles of the road wheels, so that one or two pair of cranks may be used as more or less adhesion is requried for the rail way.

The Arabian differs in the number and dimension of the tubes and their connection with the upper part of the boiler, their length is 31 inches, 6 or 7 inches of which extend above the water surface of the boiler, which is 52 inches wide and 64 inches high. The tubes are 1½ inches diameter at the base and 1 inch at the top. Certain arrangements permit a very easy access to the tubes and any repairs may be made with facility and despatch. The cylinders are 12 inches in diameter and the length of stroke is 22 inches. The power is communicated as in the other engines. All the minor fixtures are ingeniously arranged.

The fire surface of the Arabian exposed to radiant heat is 30½ square feet, the area of heated air surface in the tubes is 335 square feet. This gives a supply of steam at 50 lbs. pressure, adequate to the size of the cylinders, and also to move exclusive of its own weight a train weighing 112 tons on a level road, at the rate of 11½ miles per hour.

At a diminished rate of speed, the engine took the same load up a plane of 17 feet in a mile, on a curve of 1,000 feet radius.

The weight of the Arabian is 7½ tons, 3 tons 17 cwt. rest on the forward wheels. This locomotive ran 3,500 miles without the loss of a day or any repairs!

The daily expenditure is as follows:

Coal, 1½ tons at $6 per ton,	7 50
Engineer,	2 00
Assistant engineer,	1 50
Oil,	75
Interest on cost,	1 00
Contingencies,	1 00
	$13 75

At this expense the engine performed the work of 49 horses, and sometimes when driven, the work of 113 horses!

The passenger cars are now mounted on eight wheels, and so ingeniously arranged that curves are easily passed, and the cars remain perfectly level, even where there is an inequality in the road.

LAW INTELLIGENCE.

The Charleston Mercury, of the 8th instant, contains a long opinion of judge *Harper*, delivered at the late session of the South Carolina court of appeals. As the case deserves notice, we copy the first and last paragraphs of the opinion, in which the nature of it and the decision are expressed *Nat. Gaz.*

"This is a case both of novelty and importance, and I have considered it carefully, with reference to the authorities within my reach. On the part of the complainants, it is contended that, under our law, slaves being considered personal chattles "to all intents, constructions, and purposes, whatsover," they are absolutely incapable of taking a legacy, and that the bequest to them is absolutely void, or that, if a trust is created in their favor, it is incapable of being executed, and the estate must be distributed among the next of kin. On the part of the defendants, it is urged, first, that, under the civil law, slaves have capacity to take for the benefit of the master, and that this should have much authority with us, as the state of slavery which existed under that law was analogous to that which exists among us; secondly, that if we adopt the rule of the common law in relation to *villeins*, the same consequences will follow; they had capacity to take, though liable to be divested of the property by the lord; or, thirdly, that if they are considered incapable of taking, this must be considered a beneficial bequest to the executor, for his own use, the testator having intended him to take the property absolutely, and dispose of it at his pleasure, relying only on his friendship and good faith to dispose of it according to his wishes. * * *

From the views I have taken, the complainants are not entitled. The bequest to the slaves is not void, on the principles before examined. A *chose in action* given to an alien enemy is not void, though, while alien enemy, he can maintain no action upon it. A trust created in favor of an alien enemy is not incapable of being executed. "If an alien enemy purchase a copy hold or land in the name of another, in trust for himself, and his heirs, the king shall have it." "But, if an alien purchase in the name of a trustee, the king cannot be entitled by inquisition, for the estate at law is in the trustee, not in the alien. But he must sue in chancery to have the trust executed." Com. Dig. Tit. Alien C. 3. I do not say what the effect would be if the executor should think proper, of his own accord, to pay over the legacy to the slaves or their master. But remaining in his hands, it is subject to the claim of the state. The chancellor's decree must be therefore affirmed, and the bill dismissed, but without cost."

The Springfield Gazette of Wednesday, contains notices of several interesting cases decided at the recent term of the supreme court in that county; among which is the following:—

Contracts for labor. William Fowler vs. Henry Bliss. This was an action brought to recover wages for five or six months labor, done by the plaintiff for the defendant, at so much per month. The defence set up was, that there was a special con-

tract between the parties for a year's service, and therefore that the plaintiff could have no claim for wages for a less time, unless he fulfilled the whole contract. Such being the evidence, and such the instruction of the court, the jury gave a verdict for the defendant.

The principle involved in this case, is of great importance, especially in reference to contracts of labor, and accords perfectly with the dictates of equity and common sense, as well as with the decisions of our courts. It is too apt to be the case, that persons employed by others, feel and act as if they were at liberty to leave their employment whenever they please—no matter what the contract may be, or what the damage to their employers; but it ought to be known and remembered, that whenever there is a contract to labor for a man for any specific time, say a year, the laborer can recover nothing for any portion of his work, if he does not continue in his service the whole time, unless indeed the contract has been waived.

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IN THE SUPREME COURT OF NEW YORK, MAY 12—JUDGE HOFFMAN PRESIDING.

Norman Porter vs. Anson G. Phelps and Elisha Peck.

This was an action to recover the value of goods lost under the following circumstances.

The plaintiff resides in Lexington, Kentucky, and early in the month of April, 1834, sent his clerk to this city to purchase goods. The clerk accordingly purchased a bill of goods to the amount of $495 from the defendants. When the goods were being purchased, Mr. Phelps casually asked the plaintiff's clerk if he wished to have them insured, and to what port? The clerk replied, "yes; to the same port that goods bought for the plaintiff were usually insured to." No further conversation ensued on the subject of the insurance, and Phelps and Peck agreed to ship the goods on board the first good vessel for New Orleans at the cost of the plaintiff. The purchase was made on the 4th of April, and a day or two after, the plaintiff's clerk paid $400 of the bill, and the balance of it on the 8th. Two days after, on the 10th, the goods having been by this time shipped on board the Newark, the plaintiff's clerk examined the account, and perceiving that there was no charge for insurance in it, went to the defendants and spoke to their clerk about getting the goods insured. It did not appear that on this occasion the plaintiff's clerk expressed any surprise at the goods not having been insured, nor did he accuse the defendants of having neglected to do so. The result of this interview was, that the defendants' clerk received $13 75 from the clerk of the plaintiff to pay for getting the goods insured. It was near sun down in the evening when the plaintiff's clerk called at the defendants. It appeared, however, that under some circumstances it might have been possible to effect the insurance even at this late hour; but the testimony on this part of the subject was rather vague and inconclusive. The plaintiff's clerk having paid the money to defendants' clerk to effect the insurance, went away, and in the course of that night, the Newark, which had not sailed from this city, took fire and the goods in question were destroyed.

For the defence it appeared in evidence that the defendants' clerk told the plaintiff's clerk that it was too late to effect the insurance that evening, but that he would do it in the ensuing morning, as soon as the offices should be open. It also appeared from the testimony of different persons, that at the hour when plaintiff's clerk called at defendants', the insurance offices were generally if not invariably closed.

The court remarked that in reference to the second application made by plaintiff's clerk to get the goods insured, the defendants, according to custom, had used due diligence, and were not obliged to go out of their way to effect the insurance.

Counsel for plaintiff said that he claimed a verdict solely on the ground that when the goods were first purchased, Mr. Phelps agreed to insure them.

Judge Hoffman charged the jury, that when a man undertakes to effect an insurance for his foreign correspondent and neglects to do so, he becomes virtually the insurer himself, and in such a case should an action be brought against him, he may set up in defence whatever would be available to an insurance company under similar circumstances, such as fraud or deviation, &c.

The duty of effecting an insurance attached in two cases. First, where a merchant makes a special agreement to procure the insurance, and the second case, where he is in the habit of doing so without receiving particular directions from his correspondent in every instance; as the usual course of business implied a promise to procure the insurance. The rule did not however apply to the present case, as it appeared that the defendants only insured when they were directed to do so.

In the present case the jury had a right to infer from the conversation between the plaintiff's clerk and the defendants, that there was an agreement on the part of the latter to effect the insurance; and the plaintiff's clerk so understood it.

The first agreement to insure was not merged in the second, nor could the latter invalidate the former if there had been already a breach of it.

Verdict for the plaintiff $512 56 and 6c. costs.

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From the United States Gazette.

A suit of a singular nature is now pending in the U. S. district court in this city. It will be recollected, that some six or nine months since, there was a fraud committed on the United States bank, by obtaining, on a forged check, upwards of $6,000. Suspicion fell upon a family named *Drew*, father and two sons, then in the city. Shortly after, they were arrested, and, on searching their persons, a corresponding amount, &c. to that obtained from the bank was found on the person of the elder Drew, which was taken by the mayor and placed in the bank. There was no money found in possession of the other two. When the trial came on, the sons confessed their guilt, and were convicted, and sentenced by the court. The father was released. He has now brought a suit against the mayor of the city, to recover the amount ($6,010) found in his possession at the time of his arrest.

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A certain *James Wilson* has been found guilty, before the circuit court of the United States at Philadelphia, *for counterfeiting notes on the U. S. bank.* He is an "artist" of extraordinary talents—as his lath and presses, &c. clearly shew. But his *ingenuity* has at last, brought him to a condition in which he will be prevented from doing any more injury to society.

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Ben. F. White, recently tried before the circuit court of the United States, at Philadelphia, for an assault on Mr. Auchinbeck, the mate of the barque Madeline, on the 18th of January, 1835, in which assault White stabbed the mate with a knife, but the wound did not prove fatal—was found *guilty* by the jury, but recommended to mercy, *because they believed him to have been under the influence of liquor at the time!* Drunkenness then, it seems, is to be admitted as an extenuation for crime.

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YANKEE NOTIONS.

From the New Monthly Magazine.

Yankee Land, or the New England portion of the United States, does not make a great figure in the map of the American republic; yet the traveller who leaves it out of his route can tell you but little of what the Americans are. The history of the Yankees is the history of the republic; the character of the Yankees has influenced and continues to influence that of every part of the nation; and their name, from a provincial designation, has become among foreigners the popular appellation of the whole people. Such is the predominance of character and civilization; the other states are becoming like the Yankees, while the Yankees are keeping like themselves. It is in New England, therefore, that you find the most original, operative, and distinctly marked American character. Here should the traveller begin and end; whoever leaves the Yankees out of his "United States as they are," will find he has left Hamlet out of Hamlet's tragedy; and the person who, upon a short intimacy with the pork merchants of Cincinnati and the kitchen wenches of New York, pretends to write a book on the "Domestic Manners of the Americans," will show the same degree of modesty with him who touches at Liverpool and the Hebrides, and then spawns his quarto, entitled "John Bull at Home."

It is in New England you find Jonathan at home. In the other states there is a mixture, greater or less, of foreign population, but in New England the population is homogeneous and native—the emigrant does not settle there—the country is too full of people, while the fertile soil of the west holds out superior attractions to the stranger. It is no lubber land; there is no getting half a dollar a day for sleeping, in Massachusetts or Vermont—the rocky soil and rough climate of this region require thrift and industry in the occupant. In the west he may scratch the ground, throw in the seed, and leave the rest to nature; but here his toil must never be remitted; and, as valor comes of sherris, so doth prosperity come of industry. The southern planter who visits the east and finds the whole land a garden, wonders why the fat fields and the warm sky of his own region do not produce the same picture, and in his endeavors at an explanation, ascribes it to the tariff, whereas the difference in the two regions arises from the regular and natural operation of things; it is solely the effect of industry.

What is Cape Cod but a heap of sand? yet it maintains thirty thousand people, and there is not a beggar among them. All the tariffs that could be devised never would ruin New England, were they framed ex proprio motu of Georgia or South Carolina. While the Yankees are themselves, they will hold their own, let politics twist about as they will. They are like cats; throw them up as you please, they will come down upon their feet. Shut their industry out from one career, and it will force itself into another. Dry up twenty sources of their prosperity, and they will open twenty more. They have a perseverance that will never languish while any thing remains to be tried; they have a resolution that will try any thing, if need be, and when a Yankee says "I'll try," the thing is done.

Boston is but the fourth city in the union as to population, yet in many points it may be considered the chief; a metropolis there never will be in the United States—I mean for political purposes—as London is to Great Britain, or Paris to France—for Washington will never be a great city.

New York and Philadelphia owe their great population to the numbers whom they receive from the other portions of the union, and the other side of the Atlantic. Boston has grown by internal augmentation only, or accretion from its immediate neighborhood; in consequence, it exhibits nothing of that shifting and heterogeneous character which marks the great cities of the south.

Boston, however, is by no means, the whole of the Yankee Land. Paris, we know, is all France, and London may carry all England whithersoever she listeth. Not so in America. Brother Jonathan, with all his guesses, is another guess sort of

a person; the Yankees of the country cannot be led by those of the capital, except, perhaps, in the fashion of a go to meeting coat, or the hue of a ribband. There is a watchful jealousy among them which is for ever on the look out lest the capital should get an undue ascendancy; no matter what the point in question may be, it would create an alarm among the lowest yeomen of Berkshire and Worcester counties, were it to be noised abroad that Boston had one feather's weight more influence than was allowed by her chapter and section of the constitution. Urban influence can thus get no ascendancy; the city has not, like a great heart, all the life blood of the community at command; the country is all heart. All the great cities were occupied by the enemy during the revolutionary war, yet was not the land conquered—I should rather say the people were not conquered. "Men," says sir William Jones, "and not cities, constitute a state."

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The following may shew the expenses incurred in the English collieries, and the amount of labor expended to obtain coal.

In our own country we have *immense* fields that lie on, or very near, the surface of the earth—and all that we need is canals or rail roads to have coal at the lowest price. And so we shall have it, and soon—but time must be allowed to *prepare* ourselves and our country for it. Even now at Pittsburgh, Wheeling, &c. it is as cheap as can be desired—and the arts that depend upon a supply of fuel, are flourishing in an extraordinary manner.

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Those who are familiar with coal mines, must have frequently witnessed the effects of the enormous pressure of the superincumbent strata; and a weight of 25 to 30,000 tons, which had lately reposed upon the coal hitherto occupying the drift above described, had suddenly been transferred to the coal situate on the sides of this drift. Hence those constant indications of tremendous pressure; the cracking of the sides and roof, and "heaving of the floor," and the crumbling of their materials, furnishing admission of air and water to innumerable fragments of shale, coal and pyrites—circumstances which are abundantly calculated to occasion an increase of temperature, both by mechanical compression and chemical decompo-

sition, although wholly inadequate, as we conceive, to the generation of the temperature recorded on Saturday last; and the presence and lights of the pitmen were obviously inoperative in producing the effects remarked. Other experiments, however, in the prosecution of these inquiries, are, with the obliging permission of the owners, contemplated at Monkwearmouth colliery; and amongst the minor advantages arising from their magnificent undertaking, will doubtless be the solution of any remaining doubts of the existence of considerable subterranean heat at accessible depths, beneath the surface of the earth.

LIBERIA.

From the Philadelphia Colonizationist.

At a period like the present, when so many grave charges against the colony and its friends have been advanced, the testimony of respectable colonists is peculiarly valuable. We therefore ask the serious attention of our readers to the subjoined statement of Emanuel Elliott, the mate of the M. Mercer, whose avocation has afforded him extensive opportunities for observation, during the long period he has resided in Africa.

"I have been in Africa nearly seven years, and went from Richmond, Va. I was born free, lived at Cape Mesurado, and commanded colonial craft; have been at Bassa Cove, was there as late as March 9; left nearly all the emigrants recovered from the fever; all had it lightly, none died, fever much lighter than at the cape, there being no musgrove or swamp. Mr. Hankinson and wife had been also ill; they too were recovering. People all seemed comfortable and contented; they were engaged in getting timber, which is plenty; and in building, and in clearing, in which they were making good progress; the land is fine, along the beach sandy, a little back, rich and productive. Coffee, camwood, indigo, pine apples, African peach, and other fruits, grow wild. Water excellent. I have visited the coast frequently, from Sierra Leone to 100 miles leeward of Cape Palmas, and think Bassa Cove the best spot that could have been selected for a colony; a reef of rocks break off the force of the wind, behind which vessels of light draft can run close in shore. Vessels not drawing over 12 feet, may lie within a quarter of a mile of the cove beach. I am of opinion that industry in the cultivation of the soil, and in mechanic pursuits, will afford greater results than trading, and lead to greater prosperity. If emigrants go well provided with clothes, and are well housed, the rainy season is fully as desirable for arriving in Africa; on some accounts better. The St. John's is a magnificent river, penetrating far into the interior, and if the society shall supply their factory well, will command an extensive and profitable trade in camwood, ivory, rice, palm oil, &c. The back country is said to be very productive, and the hills visible from the coast, are interspersed with lawns. At about 25 to 30 miles inland, mountains appear.

The stories about the slave trade being carried on at the old colony are utterly false: very few are intemperate, and trade in spirits has very much lessened, owing to the efforts of the society, and the influence of temperance societies, and no sales permitted less than a gallon. Some few are discontented, but these are the worthless and idle. The industrious are well pleased with the country, and such only should go. Such people cannot be induced to leave Africa. The tales of Brown, Temple, and others, who have learned little or nothing of the country, are utterly ridiculous. EMANUEL ELLIOTT.

Philadelphia, May 2, 1835.

FREE AND SLAVE LABOR.

Col. Flinter, in his account of the island of Puerto Rico, a Spanish island, says: "It is an established fact beyond the possibility of contradiction, that every description of West India produce can be raised by free labor in the colonies; and that the white and free colored population may by proper discipline and regulation be brought to work as day laborers. The cultivation of tropical produce will become in time cheaper, and more advantageous, and it is certainly more humane, by free labor than by slaves. I have tried the experiment in a coffee estate of my own; I have also seen it repeatedly tried on indigo plantations, the most unhealthy, as well as laborious, class of tropical agriculture—and I have always found that the cultivation both of coffee and indigo, was cheaper by employing *free* laborers than by *slaves*. A free laborer will work in the field from sunrise to sunset, and on a moderate calculation will perform more work during that time than two slaves. One of the principal advantages which result to the planter from free labor is, that he sinks no capital, as he must do if he purchases slaves; nor does he incur the loss of it in case his laborers should die; or sustain the expense of curing them during sickness, or maintaining them in the decrepitude of old age.

"A proof of this is that all the large establishments on the south coast of the island, which are worked exclusively by slaves, having no pasture lands, and furnishing no other produce, are involved in debt and difficulties; while those on the north coast, where there is a mixture of free labor, unless in particular cases where there has been great mismanagement, are free from debt." The great increase of production appears attributable to the introduction mainly of free labor. In 1810, the exports amounted only to 65,672 dollars. In 1832, they exceeded three millions of dollars. In 1810, the island produced 3,796 quintals of sugar; in 1832, it produced 414,663 quintals 76 lb. Until the year 1819, a large sum of money was annually sent from Mexico to pay the governor and the civil and military establishments. In 1832, the net revenue of the island amounted to 798,494 Spanish dollars, and the expenses of the government to 630,300; leaving a balance in the treasury of 168,104.

A slavery anecdote given by col Flinter:—When the captain-general visited every part of Puerto Rico, in 1832, to hear the complaints of the inhabitants and inspect the administration of justice, an old negro presented himself to his excellency, making a complaint that a person had purchased from him three or four head of cattle, for which he could not obtain payment.—The captain general on inquiry found the complaint to be just, and ordered immediate payment to be made. I asked the old man how many years he had been on the island, and if he had any more cattle. He answered that he had several cows which he had purchased with the savings of his industry, and which he had reserved to maintain his two children; and that he had been sold only twelve years ago by a gentleman from Barbadoes.* He added that he had already purchased the freedom of his wife and one son."

STATE PRISON FOR FEMALE CONVICTS.

An act for the erection of state prison buildings for female convicts.

Passed April 20, 1835.

The people of the state of New York, represented in senate and assembly, do enact as follows:

§ 1. It shall be the duty of the agent of each of the state prisons in this state, under the direction of the inspectors thereof, to erect on the grounds belonging to such prison, and near to or adjoining the same, prison buildings for the female convicts of such prison district. The said prison buildings shall be commenced and completed in whole or in part, as soon as the respective boards of inspectors shall deem expedient; and the expense of such erections shall be defrayed out of the surplus funds of the said prisons respectively.

§ 2. The said buildings so to be constructed, shall contain not less than forty separate cells each, (and be so laid out that the number may hereafter be increased), upon the plan of the existing state prisons; but with such variations as may be deemed useful and necessary, in reference to the employment, discipline, health and reformation of the convicts, and in regard to the most economical mode of erecting the buildings. The inspectors may also direct apartments therein for a matron and assistants, if required, with other necessary appurtenances, and cause the whole to be enclosed with a suitable yard by sufficient walls.

§ 3. Whenever the said prison buildings shall be in readiness for the reception of the female convicts confined in the said respective state prison districts, it shall be the duty of the agent of each prison, under the direction of the inspectors thereof, to cause the said female convicts to be removed to and be confined in such new prisons. All female convicts sentenced thereafter to confinement in a state prison in the first, second and third senate districts of this state, shall be confined at Mount Pleasant prison; and all such convicts so sentenced in the fourth, fifth, sixth, seventh and eighth senate districts thereof, shall be confined at the Auburn prison.

§ 4. It shall be the duty of the inspectors of each of the said prisons, to employ a suitable matron, (and assistants if required), to supervise and have charge of the female convicts; and to prescribe rules and regulations for their government and discipline; and to cause them to be so employed as shall best conduce to their support and reformation.

THE ERIE CANAL.

The following important act was passed by the late legislature, and a meeting of the canal board, with reference to the gigantic work therein contemplated, is advertised for the 30th June:—

An act in relation to the Erie canal, passed May 11, 1835.

The people of the state of New York, represented in senate and assembly, do enact as follows:

§ 1. The canal commissioners are hereby authorised and required to enlarge and improve the Erie canal, and construct a double set of locks therein, as soon as the canal board may be of opinion that the public interest requires such improvement.

§ 2. The dimensions to which the canal and locks shall be enlarged shall be determined by the canal board.

§ 3. In passing cities or villages and at other places, an independent canal may be constructed instead of enlarging the present works, if the canal board shall decide that the public interests will be thereby promoted. In all cases, regard shall be had in the location, to the relinquishment of damages, and to gifts, grants and donations; but nothing in this section shall authorise the board to abandon the present canal through cities or villages, where an independent canal may be deemed advisable.

§ 4. It shall be the duty of the canal commissioners to alter and arrange the present feeders, and to construct such additional feeders and other works as they may deem necessary for supplying the enlarged canal with water.

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§ 5. In the construction of the several works authorised by this act, the canal commissioners shall have and exercise all the powers and privileges granted to them by the ninth title of chapter ninth of the first part of the revised statutes: And the said ninth title, so far as it may be applicable, shall apply to the works hereby authorised.

§ 6. The cost of constructing, completing and maintaining the works authorised by this act, shall be paid by the commissioners of the canal fund out of any moneys which may be on hand belonging to the Erie and Champlain canal fund; but the accounts and expenditures under this act shall be kept separate and distinct from the accounts and expenditures for the ordinary repair and maintenance of the Erie canal.

§ 7. The eighth section of the act entitled "an act to provide for the improvement of the canals of this state," passed May 6, 1834, is hereby repealed.

§ 8. The commissioners shall report to the legislature their proceedings under this act, within thirty days after the commencement of each session.

§ 9. After the year one thousand eight hundred and thirty-seven, the expenditures by virtue of this act shall be so limited as to leave from the canal revenues without reference to auction and salt duties, an annual income to the state of at least three hundred thousand dollars, over and above all ordinary repairs and expenditures on the Erie and Champlain canals.

§ 10. No further expenditures shall be made pursuant to the provisions of this act than are necessary to construct the additional locks and works connected therewith, to enlarge the canal in the vicinity of said locks, so far as may be necessary to facilitate the passage of boats through the same, and for the purchase of such lands and the extinguishment of such claims for damages, as the commissioners may deem it expedient to secure an extinguish, until a sufficient sum shall have been collected and invested from the canal revenues fully to discharge the Erie and Champlain canal debt.

§ 11. This act shall take effect on the passage thereof.

STATISTICS OF NEW YORK.

From Williams' New York Annual Register, for 1835.

SUMMARY OF CANALS COMPLETED.

Names.	*Length miles.*	*Cost.*	*Tolls in* 1833.
Erie canal	364	$9,027,456 05	$1,290,136 20
Champlain canal	64	1,179,871 90	132,559 02
Glen's Fall feeder	12		
Oswego canal	38	565,437 35	22,950 47
Cayuga and Seneca canal	23	236,804 74	17,174 69
Chemung canal	23	342,133 95	694 00
Navigable feeder	16		
Crooked Lake canal	8	126,331 95	200 84
	548	$11,488,035 99	$1,463,715 22
Navigable ponds & feeders	18		

Total 566 miles of canal navigation completed and owned by the state. Average cost per mile, about twenty-one thousand dollars.

Comparative view of the number of clergy in the state, in 1819 *and* 1835.

	No. in 1819.	*No. in* 1835.
Presbyterians and Congregationalists	328	562
Baptists	139	442
Methodists	90	402
Episcopalians	83	181
Reformed Dutch	105	116
Associate Reformed		23
Lutherans	16	30
Other denominations, not enumerated in 1819		74
	761	1,920

The number of attorneys and counsellors at law in the state of New York was, in 1820, according to the Register, 1,248; in 1831, 1,688; in 1834, 2,084; in 1835, 2,052.

The number of physicians in the state, according to the same authority, is 2,650.

The rank and file of the militia of the state comprises 186,212 men, viz: horse artillery, 1,271; cavalry, 7,225; artillery, 11,396; infantry, light infantry and riflemen, 163,301; fifty companies of artillery attached to infantry permanently or for inspection, 3,019.

LEGISLATURE OF NEW YORK.

Albany Argus, Monday May 11, 4 *P. M.*

This day at 12 o'clock, terminated the longest session of the legislature of this state on record. The duration of the session was 126 days: the number of acts passed, 311.

Among the laws of general interest and importance, are, the acts in relation to the state census—to increase the salaries of certain judicial officers—to prohibit the circulation of bank notes of the smaller denominations—authorising a tax for a library in each school district—for the erection of state prison building for female convicts—to submit to the people an amendment of the constitution directing the restoration of the salt and auction duties to the general fund—authorising an additional appropriation for the new state hall—to abolish public executions—for the enlargement of the Erie canal—prohibiting the *sale of drafts* by banks to meet their discounted paper—to improve the management of the state prisons, and relieve mechanics from the injurious competition of convict labor—and to repeal the law of the last session in relation to botanic practice.

Protracted and interesting discussions were had upon several bills, which were finally rejected, or failed for want of action in one or the other house, or were laid over to another session. Among these, were the bills in aid of the construction of the New York and Erie rail road, the debates in relation to which were extended through some twenty days of the session—the Black River canal—the Rochester and Olean canal—a ship canal from Oswego to Utica—the Utica and Syracuse rail road—the Troy and Schenectady rail road—the Albany and Berkshire rail road—the Troy and Berkshire rail road—the amended charter of the New York and Albany rail road; and various other bills for similar grants—the bills establishing additional ferries between New York and Brooklyn—providing for the erection of an asylum for the insane poor—to amend the non-imprisonment act—establishing a department of public instruction—in relation to the proof of wills and other proceedings before surrogates, &c.

[The Argus contains a list of the acts passed.]

HOUSE OF REFUGE—PHILADELPHIA.

A supplement to an act entitled, "an act to incorporate the subscribers to the articles of association for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents, under the title of the house of refuge," passed March twenty-three, one thousand eight hundred and twenty-six.

Section 1. *Be it enacted by the senate and house of representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same*, That in lieu of the manner prescribed by the sixth section of the act to which this is a supplement, it shall be lawful for the managers of the house of refuge, at their discretion, to receive into their care and guardianship infants, males under the age of twenty one years, and females under the age of eighteen years, committed to their custody in either of the following modes, viz:

First: Infants committed by an alderman or justice of the peace, on the complaint and due proof made to him by the parent, guardian or next friend of such infant, that by reason of incorrigible or vicious conduct such infant has rendered his or her control beyond the power of such parent, guardian or next friend, and made it manifestly requisite that from regard to the morals and future welfare of such infant, he or she should be placed under the guardianship of the managers of the house of refuge.

Second: Infants committed by the authority aforesaid, where complaint and due proof have been made, that such infant is a proper subject for the guardianship of the managers of the house of refuge, in consequence of vagrancy, or of incorrigible or vicious conduct, and that from the moral depravity or otherwise of the parent or next friend, in whose custody such infant may be, such parent or next friend is incapable or unwilling to exercise the proper care and discipline over such incorrigible or vicious infant.

Third: Infants committed by the courts of this commonwealth, in the mode provided by the act to which this is a supplement.

Sec. 2. That it shall be the duty of any alderman or justice aforesaid, committing a vagrant or incorrigible or vicious infant as aforesaid, in addition to the adjudication required by the first section of this act, to annex to his commitment the names and residence of the different witnesses examined before him, and the substance of the testimony given by them respectively, on which the said adjudication was founded.

Sec. 3. That it shall be the duty of the president and legal associates of the common pleas of Philadelphia county, the judges of the district court of the city and county of Philadelphia, and the recorder of the city of Philadelphia, alternately, in such manner as may be arranged between them, at a joint meeting for that purpose, from time to time held, to visit the house of refuge at least once in two weeks, or oftener if to the said judges it shall seem requisite, and it shall be the duty of the judge or recorder so visiting the house of refuge, carefully to examine into all the commitments to the said house of refuge made by the aldermen or justices aforesaid, that have not previously been adjudged upon by one of the said judges, or the recorder, in the manner hereinafter directed, which commitments it shall be the duty of the managers of the house of refuge truly and correctly to lay before such judge or recorder, and on such examination, such judge or recorder shall have produced before him by the managers aforesaid, their superintendent or agent, the infant or infants described in such commitment, and the testimony upon which he or she shall have been adjudged a fit subject for the guardianship of said managers, or on which he or she shall be claimed to be held as such, and if, after examining the infant and such testimony, the said judge or recorder shall be of opinion, that according to the laws of this commonwealth, regulating the control of infants, a case has been established, which, in his opinion, would, according to law, authorise the transfer of the parental authority over such infant to the managers of the house of refuge, then and in that case it shall be the duty of the said judge or recorder to endorse an order on the commitment of the justice or alderman or guardians of the poor, directing the infant to be continued under the guardianship of the managers of the house of refuge, after which

it shall be lawful for said managers to exercise over all such infants the powers and authorities given them by the act to which this is a supplement. But if the said judge or recorder shall be of opinion, that such case has not been made out, he shall order such infant to be forthwith discharged, which order shall be obeyed by the managers, under the pains and penalties provided by law against wrongful imprisonment. *Provided*, That it shall be the duty of such judge or recorder, at the request of such infant, or any person in his behalf, to transfer such hearing to the court house of the court of which he is a member, in order that the infant may have the benefit of counsel and of compulsory process, to obtain witnesses required in his or her behalf, which such judge or recorder is hereby authorised to award as fully and amply as any judge or court could do on the hearing of a writ of habæs corpus. *And provided also*, That nothing in this act contained shall be construed to interfere with the provisions of an act entitled, "an act for the better securing of personal liberty and preventing unlawful imprisonment," passed on the eighteenth day of February, one thousand seven hundred and eighty-five, commonly called the habæs corpus act.

Sec. 4. The annual meeting of the contributors to the house of refuge shall be held on the second Wednesday in January, in each and every year, instead of the first Monday in May, and that the board of managers shall then lay before the contributors, and transmit to the legislature, their annual report, and that this section shall go into operation on the second Wednesday of January, eighteen hundred and thirty-six.

Sec. 5. The governor shall draw his warrant on the second day of March in each year, in favor of the treasury of the house of refuge, on the state treasurer, for the sum of five thousand dollars, and the commissioners of the county of Philadelphia shall, on the second day of March in each year, draw their warrant on the treasurer of said county, in favor of the treasurer of the house of refuge, for the sum of nine thousand dollars, and the said payments shall be made from year to year, until the first day of May, 1838.

PUBLIC EXECUTIONS.

[Report made to the senate of New York, April 8, 1835.]

Mr. *Mack*, from the select committee to whom was referred the resolution directing an inquiry into the propriety of abolishing public executions, reported:

That the committee have not considered themselves warranted, at this late period of the session, in retaining the resolution before them a sufficient time for that mature examination which a subject so interesting and important demands. They will, however, submit some facts and reasons which have influenced them in forming the conclusion to which they have arrived.

In the early and more barbarous eras of civil government, punishments were vindictive; justice was untempered with mercy. Severity was deemed essential, not only in retaliation for crime, but as an example to deter from its repetition. Terror was the agent of the law; and its administrators, arbitrary in power, attempted to restrain mankind by fear, rather than to reform them by the inculcation of just, humane and rational principles. Not only was the nature of punishments vindictive, but the modes of inflicting them corresponded less with the character of the crimes than with the spirit of the laws. The penalty of death was attached to almost every offence, and that penalty was most rigorously enforced. Culprits were impaled alive; mutilated; broken upon the wheel; their bodies transfixed to the gallows, and left bleaching in the wind; or their mangled remains inhumanly exposed to the public gaze.

But in every age and country in which these barbarous punishments and exhibitions have prevailed, they have been found to produce contrary results from those which were designed. Instead of proving salutary as examples to deter from the commission of crime, their tendency has been to harden and brutalize the feelings of the populace, to familiarize them with scenes of blood, to excite disgust instead of terror or respect for the laws, and to increase offences both in number and enormity. These results are proved by the history of the times, and admitted by the most intelligent writers upon criminal jurisprudence; and the spirit of Christian benevolence, the lights of education and the assuasives of refinement, wherever their progress can be traced, may claim their proudest triumphs over the exactions and inflictions of the criminal codes.

In almost every nation of Europe, the number of offences to which the penalty of death was attached, have, within the last half century, been greatly diminished, and the barbarous methods of inflicting this punishment have been abolished, or where these sanguinary statutes have not been repealed, those changes which have softened the character of the people and refined the public manners and opinions, have influenced the administrators of the laws, and rendered those laws, to a great extent, a dead letter. During the reign of Henry VIII, 72,000 persons were publicly executed in England, being an average of 2,000 each year. In the reign of queen Elizabeth, 400 were executed yearly. From the year 1825 to 1831, inclusive, out of 86,257 criminal convictions in England and Wales, 9,316 were condemned to death; of which only 410, an average of 68 a year, were executed. In Ireland, for the same period, of 65,719 convictions, sentence of death was passed upon 1,814, and inflicted upon 224, or about 48 per year. In France, during the year 1826, of 4,348 persons convicted, 150 were condemned to death, most of whom were executed. In Prussia, from 1818 to 1827, 210 persons were capitally sentenced, only eighty-seven of whom suffered death. And it is the conclusion of all w ters by whom the imperfect statistics of crime have been inve tigated, or who have had personal experience upon the subje that in every country, offences against the person have d creased in proportion as the severity and public exhibition punishments have diminished. In France, for example, greater number of executions take place, in proportion to t convictions, than in England; and offences against the pers bear a greater proportion, both to the whole number of offenc and to the population, in the former than in the latter countr It is also remarked, as an important and interesting fact, th "in England and every other country, these offences are dim nished in the proportion that the means of education are e larged." Hence it follows, that it is neither the severity n the public nature of punishments, but the dissemination knowledge and the inculcation of pure moral principles, whi deter from the commission and prevent the increase of crim

In the United States, rational liberty is the basis of our ci institutions, and the principle of humanity is the foundation our criminal codes. The constitution itself declares, th "cruel and unusual punishment shall not be inflicted." Whi in Great Britain, the laws of which are less sanguinary th those of some other European governments, about *one hundr and fifty crimes* are punishable with death, in no state of th union is that punishment inflicted for more than *ten* enumera ed offences. By the revised statutes of this state, but thr crimes are declared punishable with death. And to extend th principle of humanity, the revisers recommended a *discontin ance of public executions*, as then and at present conducted, a the substitution of a more private infliction, within the pris or some adjoining enclosure, in the presence of the coun judges, district attorney, surrogate and other public office who were required to attend as witnesses. Those provision they observed, had "been drawn with a view to avoid the co sequences frequently attending the parade of public execution While, on the one hand, the security of our fellow citizens r quires that the punishment of death should never be inflict in secret, on the other, it is believed by many, that the mann in which it is usually conducted defeats the great end in vie —a solemn and monitory example. A medium between t two has been aimed at." [Vide rep. of the revisers, 4th par chap. 1. title 1, sec. 27, 28, 29 and note].

But the legislature which enacted these statutes, halted the threshhold, and stopped short of the important object, leaving it to the discretion, and resting it upon the responsibil ty of an executive officer. With such timidity or reluctance we cast off the shackles of custom, even when humanity plea and reason is convinced!

As might have been foreseen, in no instance since the ado tion of the revised statutes, has a sheriff exercised the discr tion of departing from the former method of conducting exec tions in public: nor will any be found, in opposition to the sol citations of depraved curiosity, and the importunities of self i terest, to take upon himself such a responsibility as would imposed under the present provisions of the statute.

Your committee, therefore, would not be warranted in ant cipating, that all minds are now prepared for repealing the di cretionary power of the statute, and declaring the more priva execution of criminals imperative. The propriety of publ executions has been defended, and may continue to be urge upon the grounds—

1. That they have a legitimate and salutary influence in d tering others from the commission of like offences, which ca not be otherwise effected; that they are the only means of im pressing upon the mass of the people a salutary dread a warning, and serve as a public admonition of the certainty punishment following upon crimes.

2. That all punishments ought to be subjected to the publ scrutiny, so that it may be certainly known that the requir ments of the law, and no more, have been fulfilled; and that punishments were privately inflicted, it could not be know whether they were actually, and justly and properly, inflicte upon the persons condemned, or that innocent persons had n become the victims.

To the first of these propositions, your committee have i part anticipated their reply. It may, however, be well to fo tify their views, by referring to those whose opinions may b deemed better authority, and entitled to greater respect tha their own.

All the writers whom the committee have had time to co sult upon the subject, [*Dagge on criminal law; sir Sam'l Rom ly on do; Old Bailey experience, &c; an English publication criminal jurisprudence*, 1833; *Rees' Encyclopedia; Edinburgh d Encyclopedia Americana; sir Edward Cooke, Becaria, Benthar and numerous authors quoted in those works*], agree in the op nion, that public executions have not been salutary in the effects; that they have not deterred from the commission prevented the increase of crime; but that on the contrary, th have had a deleterious influence upon the public morals, br talizing the habits, exciting the morbid sympathies, and blun ing the genuine sensibilities of the people. A German write [*Encyc. Amer. art. criminal law*], treating of the doctrine, th suffering is to be inflicted on the guilty, for the purpose of d *terring* others from the commission of crime, remarks:

"By the punishment of the offender, others are to be *deterr* from similar acts. The punishment is, therefore, inflicted *pu licly*; and the more horrible the crime, the more effort is ma to confirm the popular abhorrence of it by severe penalti

"This system *is liable to the most weighty objections.* It cannot be allowed to put to death a human being, simply with the view that others may receive from his sufferings such an impression as to be proof against the temptation to crime. *In point of fact,* THIS END HAS NEVER BEEN ATTAINED, and would require a scale of punishment offensive to sound reason. The mere fear of punishment is of very little weight. Men are kept from crime principally from the natural abhorrence of wrong, heightened by a good education, and good example."

Again: "It is evident, that the sentiments of men, and their moral reformation, cannot be the *direct object* of legislation, from the very circumstance, that this effect is not of a kind to be ascertained." * * * * "On the other hand, it is found by experience, that the punishment of death is not sufficient to deter men from the commission of offences to which they are strongly tempted by their passions or their wants."

Dagge ["*Considerations on Criminal Law*"] observes: "The circumstance of example, which is often insisted on, does not seem to have so much weight as is often ascribed to it; for delinquents are frequently hardy enough to perpetrate the most atrocious crimes, even when malefactors are, for the same offences, expiring before their eyes, with all the dreadful circumstances of agony and infamy. Men whose depraved dispositions lead them to the perpetration of capital offences, are slightly, if at all affected by the sufferings or punishments of others." "If ever the dread of punishment, or the terror of example, comes across their thought, such reflections are soon obliterated by the more flattering prospects which strike their senses and corrupt their judgment. The end of punishment, therefore, with regard to example, appears to be of less consideration than is generally imagined."

"However (says the same writer), political casuists may pride themselves in subtilizing and reconciling moral repugnances with public necessity, we may venture to conclude, that whatever shocks the common sense and feelings of mankind, is faulty in its original establishment." "Severe laws, it will be allowed, are best calculated for the support of despotic power; but moderate governments are to be maintained by a milder system." "Therefore, the great stress which has been laid on the advantage of *public executions*, seems to rest on a weak foundation; for they who are endued with a great degree of sensibility, will not behold them, and hardened offenders view them without being affected by them." "Moral habits are not to be enforced by criminal laws; they are to be inculcated by moderation and good example; but the principal means of making virtue habitual, is to sow the seeds of it in early education."

The author of the late able and interesting English treatise, entitled "Old Bailey Experience," &c. in treating of the "effects of executions," remarks:

"The well known fact, that in every country where the laws are most severe, the people are most in the habit of committing crime, would of itself be thought quite sufficiently striking to convince all law makers of the inutility and fallacy of relying on sanguinary punishments as *deterring men from crime.* Fazakerly says, with great truth, 'Sir, there is something in the nature of man that disdains to be terrified, and therefore severe punishments have never been found effectual for preventing crime.' Again: 'It cannot be that men commit crimes for the sake of daring death, yet their numbers increase with the penalty. Another cause must therefore be sought. Is it excitement? *Boys say,* their *first ideas of crime came on* WHILE WITNESSING AN EXECUTION. This fact, which is indisputable, proves that there is some strange and hitherto unexplained compound principle of action in the human species. One effect is sufficiently evident, that *it hardens and brutalizes all who witness these scenes,* and all who are concerned in carrying the law into effect.'"

The rev. Dr. Ford, for many years ordinary (or chaplain) of the Newgate prison, in a letter to Mr. Bentham, which we find in the work above quoted, on the "efficacy of executions," says:

"From every thing I have witnessed on these melancholy occasions, I am decidedly clear, that executions, *managed as they are at present,* answer *no end whatever, either for punishment or example.*"

After describing the treatment and deportment of the culprit in prison, previous to the day of execution, he continues:

"At length the long dreaded morning arrives; he knows he must quit this world, and he may as well do so with a good grace as not. 'What would his old associates say, if they were to behold him die soft?' (as the phrase is). 'His memory would be despised and had in abomination.' He mounts the drop, resolute in appearance, however he may be within; bows to the spectators; shakes hands with the ordinary, and such others as may be with him travelling the same journey; and (according to the expression in the dying speech, which at this moment is publishing in all parts of London), 'is launched into eternity.' This man is not punished, nor are his compeers intimidated. It is like the acting of a tragedy: a momentary tear of pity may be shed, but the next ribaldry obliterates the whole of the foregoing catastrophe. For argument's sake, we will suppose the convict a true penitent, and resigned to his fate, with a full trust in, or even a modest hope of salvation. The spectators are ignorant of what is passing in his mind, but they see him resigned in his countenance; consequently they are not intimidated by his example."

The same gentleman, after several years of subsequent experience, repeats his convictions, that "executions are of no avail, either for punishing criminals or intimidating others from the perpetration of crime."

"The death of a criminal, (says a writer on this subject in the Edinburgh Encyclopedia), is a terrible but momentary spectacle, and therefore a less efficacious method of deterring others than the continued example of a man deprived of his liberty." "The terrors of death make so slight an impression that it has not force enough to withstand the forgetfulness natural to mankind, even in the most essential things, especially when assisted by the passions. Violent impressions surprise us, but their effect is momentary." The execution of a criminal is to the multitude a spectacle which in some excites compassion mixed with indignation. These sentiments occupy the mind much more than that salutary terror which the laws endeavor to inspire," &c.

Your committee might multiply extracts of the same import, from these and other eminent writers upon criminal jurisprudence. But enough has perhaps been quoted to answer the object designed. It is indeed true, that many of these writers have arrived at conclusions favorable to the entire abolition of capital punishment. But they have come to this result through the convictions forced upon them by observation and experience, that *public exhibitions* of this punishment while they have little or no effect in deterring from crime, are of a positively injurious and demoralizing tendency. And in their cherished feelings of humanity, and in the exercise of their moral sensibilities, these statesmen and philanthropists seem to have lost sight of the only principle upon which it is justifiable to cut off from existence those who wantonly destroy the lives of others, or commit treason against the government from which all derive protection, and to which they owe a common allegiance—the public safety.

In conclusion, upon this point, your committee, having quoted foreign authorities, would appeal to those who have witnessed or made themselves acquainted with the manner of conducting *public executions* in *this* country. Who are they that comprise a majority of the immense crowds that assemble on such occasions? Are they of that class of citizens whose reason is to be convinced, or those whose animal feelings are to be excited? And what are the scenes usually exhibited there? Are they not those of thoughtless levity, and even of ribaldry, rioting and dissipation? Such of the spectators as have their sensibilities awakened on the occasion, regard with more or less repugnance the attendant formalities, and view them as the acts of despotism rather than of justice. They look almost with horror, even upon the executioner, legally and indispensably the minister of the violated laws; and the horrors of the final spectacle, and the sympathies excited, are much longer cherished in the memory than the criminal cause which produced, and the end of public justice to be accomplished by it. To those who are criminally inclined, a violent death, so terrible in description, now they have witnessed it, seems but the affair of a moment. It is, they reason, soon over; and will not compare in its bitterness to the sweetness of indulgence or revenge. Such, indeed, as are predisposed to crime, will find in all the attendants of our public executions, rather incitives and encouragements to go on, than impressive admonitions to repent and refrain.

And even to the culprit, whose last moments, whose eternal peace, ought not to be wholly disregarded by the law, a private execution would, in the opinion of your committee, be much more salutary and impressive than a public one, as now uniformly conducted. In the whole proceedings which attend these exhibitions, humanity overacts and becomes ostentatious. The criminal receives during his confinement, numerous and indiscriminate visits, and protestations of kindness and deep regard for his present comfort and eternal happiness. He is led forth amidst military array, to the sound of solemn music, and followed by a long procession, is escorted with "pomp and circumstance" to the gallows. There he is surrounded by professed friends, public functionaries and spiritual advisers, sees before him an immense mass of his fellow beings, whose sympathies and good will, in the awakened pride of human nature, he still seeks and hopes to conciliate. At this moment, he feels himself of greater consequence than he ever was before. It cannot but recur to his mind, as it will to the minds of the spectators, that he, who is there the object of so much curiosity, solicitude and attention, might have died upon the couch of honest poverty, within the walls of his humble dwelling, "unnoticed and unknown:" that few of the many who then surround him, would have felt the least interest in his fate, that none would have called to soothe his dying hour, or have expressed any concern for his temporal or eternal welfare! Amidst these exciting scenes, amidst reflections such as these, he passes from time to eternity, regarding himself, and regarded by many others, as a martyr, rather than a malefactor, expiating his offence upon the altar of justice.

But, on the contrary, let the condemned criminal be apprised that he must meet death in comparative solitude; that the opportunity will not be allowed him of receiving and returning the public gaze; that as one who has forfeited the privileges and consolations of society, he will not again be permitted to look upon the collected countenances of his fellow beings, for the safety and protection of whose lives his own life is demanded of him—and may he not be led to appreciate his situation? Will he not turn his thoughts upon himself, and the anticipa-

tions of his final hour be more solemn and impressive? There is solemnity in silence. It is in solitude, and not in crowds, that the human mind receives its deepest and most thorough convictions. Cut off from the glare and the murmers of the multitude; attended only by the officers and appointed witnesses of the law, whose duty he appreciates, and whose character he respects, the culprit, who is about to expiate his offence, will be most likely to realize the justice of his sentence, and to meet the solemn crisis with a broken and contrite heart—with true contrition and sincere repentance.

The *second* proposition in support of public, and against private executions, which the committee have quoted, merits consideration. It is true, that punishments should be certain, that they should not be evaded, and that the public should know, or have the means of knowing, that every sentence of the law has been positively and properly executed. But, how small a proportion of the entire population of the state, who have a common interest in these matters, do now, or can have ocular evidence of the execution of a criminal! Will it not be sufficient to guard against any evasion, perversion or abuse, that a specified number of officers and respectable citizens shall be present at each execution, as public witnesses, not as private spectators thereof? Will not an official account from these officers and witnesses, duly attested and published, convey to the public a full knowledge of the event, with all its solemn and salutary influences, unaccompanied by any of its contaminating and counteracting effects? Your committee believe that every intelligent and reflecting mind must answer in the affirmative. They believe that the objection they have last noticed, though not without weight, may be thus obviated; or that it cannot, in this age of intelligence and general information, be sustained against considerations involving the cause of humanity and public morals.

Already have several of our sister states, Massachusetts, Pennsylvania, New Jersey, &c. preceded us in this measure of reform; and your committee hope that the example will be followed, by carrying out the principle virtually recognised in the revised statutes of this state. But they are of opinion, that a simple repeal of the discretionary clause in section 26 of chapter 1, title 1, 4th part of the revised statutes, would not accomplish the object in the manner to be desired; but that the enactments should be specific and positive, obviating every reasonable objection, and leaving as little as possible, in so delicate a matter, to the discretion or responsibility of the public officer, whose duty it may be to carry them into effect.

And in conformity wit. the foregoing views, the committee have instructed their chairman to ask leave to introduce a bill.

REMARKS OF MR. WEBSTER

On the bill to regulate the deposites of the public money.

Amongst the amendments moved by Mr. *Webster* to the bill, and adopted, was the following additional section which was also adopted, viz:

"Sec. 9. That all the warrants or drafts of the treasury of the United States, or such as shall be authorised by the treasury department, drawn on any deposite bank, shall be payable in gold and silver, if the holder desire to receive the same; and no such warrant, or draft, nor any check, draft or bill of exchange given or received in payment thereof, shall be expressed to be payable in 'current bank bills,' or in any other medium than the lawful currency of the country."

On offering this amendment,

Mr. *Webster* said, that in discussing the provisions and merits of this bill, it was necessary so often to allude to the bank of the United States, and the withdrawal of the government deposites from that institution, that he would take occasion to say a few words, and they should be very few, upon that subject. In the first place, he wished to say that he considered the question of renewing the bank charter as entirely settled. It could not be renewed. Public opinion, he thought, very unfortunately for the country, had declared against it; and while there was a strong and prevailing sentiment in the minds of the community against a measure, it was quite useless to move such measure. For himself he should take no part in any attempt to renew the charter of the bank. The people had decided against its continuance, and it must expire.

Of the causes, said Mr. W. which have produced this impression in the public opinion, I do not now intend to speak at large; they are sufficiently obvious. The bank has been assailed by party, mainly, as I believe, because it would not yield itself to party objects. No cry was raised against its constitutionality, no doubt expressed on that point, till its directors had resisted suggestions, the effect of which would have been to render the bank a servile instrument in the hands of political men. In my judgment, those directors were entirely right, and the country, I think, should rejoice that they staked and risked the continuance of the charter on that point. They could easily have secured the renewal of their charter. A little compliance would have done the whole business. They were courted before they were denounced. If, in 1829 and 1830, they would have consented to make a partnership with the treasury, and to yield themselves to power, they would have been commended, extolled in many a message and report, and enabled to take their own time for a renewal. The bank has fallen in its independence, and by reason of its independence. It should be proud so to have fallen; and it is much better for the country that it should thus fall, than that it should purchase a prolonged existence by rendering itself a tool of party power.

It is well known to be my opinion that direct injustice was done to the bank in the withdrawal of the deposites; and injustice has been done to it also, as I think, by the gross and unfounded imputations made upon its general management. The bank now, for many years, has accomplished every object intended by its establishment. It has reformed the currency, sustained it when reformed, and upheld a system of internal exchange, safe, cheap and of unprecedented and unparalleled facility. No country has seen the like; nor shall we see it soon again when the operations of the bank shall cease. The directors, of late years especially, have had a most difficult and undesirable duty to perform; but they have performed it, as I think, with entire uprightness, and great ability. Every fair investigation has proved this, and the state of the bank itself, the best of all proofs, abundantly shows it. The time will come, I am sure, when justice will be done them, universally, as it is done them now by those who have sought for information, and have formed their judgments with candor and good sense.—Still, partly on constitutional grounds, and partly on other grounds, a majority of the people appear to have decided against renewing the charter.

He should not, therefore, Mr. W. said, make any movement looking to the renewal of the charter.

Nor should he, if he remained in public life, join in any attempt, at any time hereafter, to establish a new national bank, till experience of its want should have satisfied the country of its great utility or indispensable necessity. That the time would come when the country would feel the fullest conviction of this necessity, he did not doubt; but that conviction, he thought, was likely to be brought about only by experience. If, while he remained here, there should be a general call of the country for a new national institution, he should of course be ready to aid in its establishment, on principles which have been proved to be safe, and with any amendments which experience may have suggested. But, for himself, it was his stated purpose to do nothing more in relation to a national bank till a decisive lead should be given in that direction by the public opinion.

In the next place, he wishes to say, that the "experiment," upon the success of which gentlemen had felicitated themselves, had not, in his opinion, undergone any trial at all. It had been put to no test.

There are two public objects, both of great importance, said Mr. W. in the accomplishment of which, the bank of the U. S. in my opinion, has been generally successful. I mean the transmission of public funds, and other facilities to the operation of the treasury, as one of these objects; and a safe, cheap and admirable system of internal exchanges as the other. These objects were both attained by the skilful administration of the bank, to such a degree as left little or nothing to be wished. By internal exchanges, I intend the whole operation of internal bills of exchange, and the circulation, also, of a paper currency, always safe, founded on solid capital, and every where, in every nook and corner of the country, as well as on the exchanges of the great cities, always of the same value as gold and silver, except, indeed, where the bills of the bank have been preferred to gold and silver, as being better suited to the purposes of remittance. Now, sir, it has been predicted that the state banks, selected as deposite banks, could equally well accomplish all these objects; that they could as readily and as completely facilitate the operations of the treasury, and that they could, and would also, furnish a general currency, as sound and as well accredited; and that they could and would be able to conduct the internal exchanges of commerce as safely and as cheaply. Of all this I have doubted; but the day of argument is passed, and the system now awaits the unerring result of experience. But the time for that experience has not yet arrived. Up to the present moment, the country has enjoyed, and does now enjoy, the benefit of the circulation of the bills of the bank of the United States. The amount of that circulation is now eighteen or twenty millions, and it is diffused over every part of the country, and abounds, more especially, in those places where it is more particularly needed, and indeed, is kept there because it is there most needed. Here is a medium of exchange, every where to be had, and to be had without charge. A hundred dollars in gold and silver buy a post note of the bank of the United States in New Orleans, or Mobile, or St. Louis, and it is remitted to Philadelphia or New York, without danger, and without expense. The whole mass or the circulation of the bank of the United States, therefore, is at this moment in active operation, in expediting and facilitating the exchanges, and indeed in assisting the operations of the treasury, and the deposite banks themselves, by affording a medium of universal credits. The present system, therefore, still rests, substantially, on the bank of the United States.

It is the credit and the circulation of the bills of that bank, which still sustain the accustomed operations of internal commerce; and the bank still exercises all that wholesome control over the currency of the country, which it has heretofore done. But the bank is about to expire. These eighteen or twenty millions must be gradually withdrawn from circulation, though they may come in very slowly, and be drawn very reluctantly from the hands which hold them; so that the circulation of the bills may more or less continue for a considerable time after the charter shall expire. In this way I have no doubt of its continuance to do good for some time after its legal existence shall have ceased. There will be no rush for payment of its notes and bills, because there will be no doubt about the suffi-

ciency of the fund. There will be no haste to get rid of them, because they will be better than any other paper, and better than gold and silver.

Seeing that its charter is to expire, and finding itself suffering the hostility of the government, the bank will naturally be induced to wind up its affairs successfully, and to make the most it can for the interest of the stockholders; and if nothing should occur to interrupt the commercial business of the country, the bank may approach the end of its charter, with a large amount of loans, and of bills in circulation. Until these shall disappear, and be replaced by a new capital and a new currency, there will be no "experiment" at all. The bank would appear now to be doing as large a business as usual, though deprived of the government deposites. Its perfect credits and its good management enable it to do this. There has been, therefore, no withdrawal of the means of circulation and exchange, by bills. In the mean time, the deposites have gone to the state banks, and have increased, of course, their ability. If, after the bank of the United States shall have withdrawn its loans and bills, and wound up all its affairs, it shall appear that five or six hundred state banks shall be able, for any length of time, to furnish a currency as safe, as universal, as much accredited, as effectual for the purpose of cheap exchange, as has been furnished by the bank of the United States, and all this in times of adversity as well as in times of prosperity, then the experiment may be said to have succeeded. He was not one of those, Mr. W. said, who expected such a result. On the contrary, he looked not only for great inconvenience, in the important concern of internal exchanges but for great irregularities in the paper currency of the country also, in moments of commercial pressure or disaster, if it were left entirely subject to the interest or the discretion of so great a number of state institutions.

But the bank must wind up its affairs; its debts must be collected, and its circulation, after a while, entirely withdrawn. And when this takes place, or begins to take place, then, and not till then, the existing government "experiment" will begin to be put to the proof. At present, all is fair weather; the question is, how will it be, when it becomes necessary to fill up the void occasioned by withdrawing the bills of the bank of the United States, by notes of the deposite banks? When these banks shall be brought to rely on their own means, their own credit, and their own facilities; when the substantial succor of a universally accredited paper currency, of twenty millions in amount, shall be withdrawn, then the experiment will be put on trial.

It is known, sir, that I am one of those who believe in the impracticability of an exclusive, or of a general metalic currency. Such a currency is not suited to the age, nor to commercial convenience. The return of the golden age is a dream. There will continue to be banks; and the mass of circulation will be a paper circulation of some kind; and the question will be, whether state institutions, associated together as deposite banks, can furnish a sound and universally accredited circulation.

At present they are not proved capable of any such thing If a gentleman here wishes to remit money to New England, or to the Ohio river, he certainly does not send bills of the deposite bank of this district. If a single individual has done that, by way of trying the "experiment," he probably does not repeat the trial; and, at any rate, the example is not generally followed. Deposite banks pay specie, which is, so far, very well; and a person with a check on one of those banks can obtain specie, and with that specie he can obtain bills of the bank of the United States; and this is the process he will go through, if he wishes to remit money in the shape of bank notes, to places at any considerable distance. In fact, that is well known to be the only practice. How this is to be effected, when there shall be no longer notes of the bank of the United States to be had, remains to be seen.

I have said, sir, the day of trial has not come, and that all as yet seems clear weather. But I recently learned some symptoms of approaching squalls. Some little specks of clouds at least, make their appearance above the horizon. I learn, from authority not to be questioned, that, within the last week or ten days, a treasury warrant was drawn on a deposite bank in one of the cities, payable in another city. The bank on which the warrant was drawn offered to pay in a check on a bank in the city where the warrant was payable; and when the check was presented, it was found to be made payable in *current bank notes*. Here, I think sir, there is, as I have said, a small cloud darkening the early dawn of the new golden day of our currency. Even so soon as the present hour, treasury drafts are thus offered to be paid *in current bank notes*. I have very good reasons to believe, sir, that other deposite banks draw their checks in like manner, *payable in current bank notes*. And I have called the attention of the senate to these occurrences, not merely to expose the practice, but to correct it also. I wish to stop it at the threshold, by declaring it illegal; and I have prepared a section, which I trust the senate will see the importance of inserting in this bill.

POSTAGES IN THE UNITED STATES.

From the Boston Gazette.

We think there can be no surer test of the advance of business and commercial enterprise generally, for any given time, than the increase of POSTAGE for the same period. It is a remarkable fact, that the amount accruing from postages throughout the U. States since the year 1827, when it was $917,893, has more than doubled, and since 1828, when it was $1,058,204, to the present time, has nearly doubled, it being, according to a document recently published, in 1834, $1,969,913. Such a wonderful increase, in the short space of six or eight years, is entirely unexampled in the history of the world, and taken in connection, as we think it may be, with a similar increase in other statistical details, sets all previous example at defiance. This, it will be remembered, is the general aggregate throughout the United States. Let us look a little closer into the matter and see where the increase has been. We have accidentally mislaid our memoranda for two or three years, but as the general ratio of increase from year to year appears to be about the same, what remains, we think will be sufficiently interesting to our readers, or we should not have taken the trouble to arrange the following table, which we have been at considerable pains to make correct:—

Table of postages in the United States for several years.

	1827.	1829.	1831.	1832.	1834.
New York.....	212,536	272,524	312,018	344,267	430,426
Pennsylvania..	118,062	152,021	185,217	206,408	343,406
Massachusetts.	92,429	107,545	119,388	129,712	172,567
Virginia.....	67,295	75,106	84,078	93,757	114,554
Maryland.....	56,046	63,616	69,039	76,766	89,235
South Carolina	44,764	44,675	47,993	52,756	60,755
Georgia.....	39,428	45,851	54,232	61,786	79,925
Ohio.....	27,480	43,266	58,883	65,409	100,552
Louisiana.....	27,477	29,609	40,794	48,129	61,985
Connecticut...	27,640	33,324	34,245	39,480	51,604
North Carolina	24,505	27,833	28,750	31,821	38,746
Kentucky.....	23,112	28,461	38,705	42,979	53,987
Maine.....	22,916	29,368	29,932	34,234	58,717
Alabama	18,093	20,369	27,240	32,547	50,514
Tennessee.....	16,112	24,199	31,423	35,544	43,858
New Jersey....	15,584	19,766	22,390	25,652	29,817
Rhode Island..	12,663	14,109	14,806	15,773	19,002
Vermont	12,305	15,742	19,997	20,295	26,043
N. Hampshire.	11,828	16,006	17,298	18,845	23,429
Dist. of Colum.	11,518	11,295	14,500	15,118	17,724
Mississippi	9,575	11,125	15,499	17,529	26,450
Missouri.....	5,289	9,546	12 907	15,757	19,518
Indiana.....	4,996	7,793	11,508	14,460	20,835
Delaware.....	4,691	5,156	4,707	6,005	6,465
Illinois.....	2,447	4,548	7,791	9,764	14,789
Michigan ter...	1,733	2,587	4,588	7,137	12,537
Florida do...	1,579	4,537	6,321	6,722	8,292
Arkansas do...	786	1,310	4,071	2,726	4,100
	917,893	1,115,227	1,318,320	1,471,371	1,969,913

The immense state of New York, it will be seen, has a little more than doubled in the short space of seven years. Pennsylvania has almost trebled in the same time—and what is more wonderful still, has just about doubled since 1830. Massachusetts, although but the eighth state in the union, in point of population, ranks as third in this table of postage, and is near 60,000 ahead of Virginia, which is fourth. In point of tonnage, too, we hope we shall be pardoned here for saying that Massachusetts is the *first state* in the union; New York following close upon her heels as second, and Maine, a thrifty scion, lopped from the parent tree, some fifteen years ago, coming in, head and shoulders, before all competitors, as third.

By the above table, it will be observed that seven years ago, Ohio, the "young Hercules of the west," ranked as the ninth state, and was a little behind Connecticut; now she takes rank as fifth, and has almost doubled Connecticut—though in the meantime, the latter has by no means been idle. Indiana during the same period, from 5,000, has advanced to nearly 21,000, and Illinois, from 2,450 to nearly 15,000. In fact, the growth of the "far west" outstrips all previous calculation—even while we stop to take the sun, the onward current sets with so much rapidity, that it is entirely out of the question to obtain the true latitude. Ohio is now side by side with Virginia in point of population, and in another year the postage, which may be considered as a true criterion of enterprise, will be at least equal.

The postages of several of the principal cities in the United States rank in the following order:—

	1831.	1834.
New York.....	144,767	192,493
Philadelphia.....	95,284	118,354
Boston.....	64,711	77,925
Baltimore.....	49,330	62,505
New Orleans.....	30,729	48,840
Charleston	24,327	30,562
Richmond.....	16,696	20,336
Savannah.....	14,032	15,659
Cincinnati.....	13,019	20,991
Albany.....	11,694	16,601
Augusta, Geo.....	9,689	14,355

Boston, as it will be observed, although fourth in point of population, ranks as third in postage, and is 15,000 ahead of Baltimore, which is fourth. As it respects tonnage, Boston is greatly ahead of Philadelphia and Baltimore, and is second only to the great commercial emporium—New York.

The regular and very gradual increase from year to year in every state of the union, though in some much more rapid than in others, is not a little remarkable, the instances of retrogression being extremely rare.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

We have inserted a pretty full account of the proceedings of the presidential convention held in this city last week—with as little remark of our own as the state of things would admit of. It is only necessary to add, that, on the nominations being proclaimed, a salute of artillery was fired. Except in the discussions and points that grew out of the singular position in which *Pennsylvania* was placed, and concerning the candidate for the vice presidency, every thing went off smoothly.

The large amount of delegates from *Maryland* may be accounted for in the fact, that a *state* convention was held at the same time.

—

It will be seen by the foreign news contained in this paper, that the American indemnity bill has passed the French chamber, by a very large and unexpected majority—with a required "apology," which has, perhaps, *already* been made by the president! We congratulate our readers on the result—without inquiring whether the *president*, or the *senate*—or the revolution of the three days with the friendly offices of *Lafayette*, brought about a peaceful settlement of the affair—and that we have been preserved from an unavailing and wasteful war.

The debates were exceedingly animated—but the friends of justice, and of the government, prevailed.

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We publish this week an address or appeal of Mr. *Bell*, of Tennessee, concerning certain charges preferred against him by the "Globe." It is our practice to give *both sides* in cases of this sort—but, independent of the coarseness of the assault made in that paper, there is abundant evidence in the address of the nature and character of the charges preferred against Mr. Bell, and the reader has the whole subject before him in the replication to them.

The truth is, that it is Mr. *Bell's* preference for judge *White* over Mr. *Van Buren*, as president of the United States, that has caused the attack upon him! It was manifest that the president had fixed upon the succession, as has been since proven, and that the offence of Mr. *Bell* was, and is, in resisting that preference.

We do not wish to enter into the merits of this matter, and shall only recommend an attentive reading of the address—for it bears the appearance of a plain unvarnished tale that will allow of no misunderstanding of it. And Mr. *Bell* contends against a fearful odds—for the *affiliated press* will not publish his reply to the charges preferred against him, though presenting the charges themselves in a thousand different forms! The matter in relation to Mr. *Bell's* dealings with the bank are thrown in for the simple purpose of making a noise to drown the judgment—for Mr. B. had always stood openly and broadly opposed to the bank.

—

The *Globe* of Saturday last says—

"*Beware of March—the ides of March.*

"We have again and again warned the community of the infatuation which had seized them since the panic, to embark in every species of extravagant speculation.

"We have again and again admonished them that the mammoth bank was fostering this phrenzy, and extending its discounts in a manner the most unprecedented—millions on millions—with a view to create another panic.

"The bitter—the Sodom fruit—is now beginning to be offered to the community to be tasted.

"The mammoth refuses foreign bills—professes now to be out of foreign funds—and the revulsion will soon be felt in the reduced price of stocks, and the scarcity of money.

"Those who have taken warning will be safe. Those who have permitted the serpent to coil his folds around them, will find, as Mr. Webster threatened, that the *pressure will be again renewed*—yea, renewed again and again, while the monster has a muscle left which it can move. Read the following facts:

"The United States bank has exhausted its funds in England, and will not draw for the next packet. After this was known yesterday there were a good many sales of bills at 9¼ premium, so long as sellers at that rate could be found. This morning the rate is 9¾ a 10, though we doubt whether any prime bills can be had at less than 10 per cent. At that rate some of the local banks are drawing." [*Jour. of Com.*

It so happened that, on the same day, we published a brief speech of Mr. *Webster*, and introduced it by a few remarks—adding a postscript concerning a rise of the rate of exchange on England, &c. and the probable effects of it.

Is there any thing that will satisfy the "*Globe?*" A little while since, and the bank was assailed because it kept funds in Europe, and now because it has no funds there! And it is required to draw on England, (whether it has funds or not), at rates *below* the market price! It appears that some of the local banks are drawing at 10 per cent. and will draw at 15, if they can, and the people will pay it—the marquis of Caermathen's bank as well as the rest, and no one will blame any of *them* for doing so.

Every one expects, (as all thinking persons should), that the winding up of the bank of the United States will produce a "pressure"—but it will be a small one compared with a demand for money in *England*, which has some 40 or 50 millions in the stocks and local banks of *Pennsylvania*, *New York*, *Louisiana*, *Ohio*, &c. We should much regret this, and were in great hopes that the success of our manufactures, (lessening the demand for British goods), would have regulated the exchange and kept it at par: but, as a very large quantity of *money* has been imported in our zeal to have a currency of gold and silver, it is probable that some of it is going "back agen," and hence the advance of bills on London.

The currency, from various causes, has been immoderately expanded, and the wildest speculations have been indulged in: instance—as many *building* lots have been purchased in, and in the neighborhood of, New York, as would accommodate *very many* millions of persons! So it has been every where. And it is stated in the "New York Evening Post" that some of the local banks have exceeded, by 50 per cent. the amount of their loans that are legally allowed!!! Now here is a "*high pressure!*"

The bank of the United States has had no hand in this thing, as the following reference to its condition will shew:

Statement of loans.

		Loans.	*Bills.*	*Totals.*
1835.	April 1.	37,173,747 75	22,926,468 96	60,100,216 71
1834.	"	36,130,141 96	18,676,675 66	54,806,817 62
1833.	"	41,574,206 29	22,749,723 50	64,323,929 79
1832.	"	48,449,592 95	21,481,100 59	69,930,693 54
1831.	"	43,742,458 32	14,725,923 30	58,468,380 62

Now, while the sum of the *whole* loans for the four last years gives an average of 62 millions, that on the 1st April, 1835, is only 60 millions, and the amount of its "bills" is larger than in any preceding year; but its "loans," proper, *six* millions less! Surely, this does not shew a disposition in the bank to expand the currency, though it might have done so—having 16½ millions in specie on hand, a much larger amount than it ever possessed before; and more than there is in *all* the state banks, perhaps!

It is not true that the bank has extended its loans. A *dishonest* practice prevails of comparing *different* periods together. It is not honorable. The same month should stand against the same month, always.

We are only anxious in this matter that the people should understand it. We have no notion that the bank will be rechartered—and desire that it may, as we hope that it will, "die easily," and naturally, if its enemies will let it alone, and as it would appear that it is its interest to do—having a large amount of debts receivable, and, the reader will observe, in the shape of "bills," which gives it a mighty command over its means, and places it in enviable circumstances. Its "loans" are only in about the amount of its capital—and it is probable, also, that a large sum of that capital is in *loans*, and so virtually paid off.

By a singular accident, we omitted to mention last week, that *William Gwynn Jones*, editor of the "Baltimore Gazette," had been detected, on Friday, in robbing the post office of many letters, (about an hundred)—being seized in the act of taking them away, &c.

He enjoyed a fair character, and had privileges in the post office which, we hope, will never again be extended to any one; and it appears that he has carried on this business a considerable time, and, probably, had taken many hundred letters; recklessly destroying post notes and drafts requiring endorsement, and causing much trouble and loss greater than the amount of the money that he obtained—which latter, as he says, was about two thousand dollars.

His conduct has been coldly calculated—and will meet with the reward that is due to deeds so destructive. We most heartily sympathise with his family, which are highly respectable.

—

The communication or annual message of the mayor of New York, which was submitted to the common council at the commencement of the present political year, has just been printed. It is a concise and sensible review of past measures, of the present position of the city and its future prospects. The city debt, permanent and temporary, is

	$745,034 62
Paid off during 1834,	91,309 91
Warrants on the treasury last year,	1,915,638 41
Probable drafts next year, including water,	3,000,000 00
Sinking fund on hand,	130,000 00
Real estate owned by the city,	10,000,000 00

—

Among the noblest bridges ever built, is that over which the rail road to Washington (from Baltimore), crosses the Patapsco, will pass. It is of granite.

—

At the broker's board in Philadelphia, on the 26th instant, 300 shares of the stock of the Merchants' bank of Baltimore, were sold at $19@$20, for $10 paid in.

—

The wheat crops are, in general, exceedingly injured—so much so, that they have been ploughed up in many places.

It is supposed that the loss of New Jersey, in fruit, will exceed 500,000 dollars, in consequence of the severity of the last winter, many tens of thousands of peach trees having been killed.

—

Eight acres of a farm on Long Island, about two miles from Brooklyn, has been sold for 80,000 dollars—and 60 acres of *farming* land in Orange county, N. Y. for $20,000!

—

The new steamboat Susquehannah arrived at Wilkesbarre a few days since from Owego, and was received "amidst the general acclamation of the citizens." The Wilkesbarre Democrat says:—

She made her first trip to this place, a distance of about 130 miles, in 10 hours, without the aid of her two side wheels, and with the disadvantage of new machinery. Capt. Toby, who built the boat, commanded her in her first voyage, and several citizens of Owego, and of the intermediate villages, accompanied. On Friday she returned, and marched up the rapid current with a strength and velocity that afford a reasonable belief of her entire success. She is designed, as we are informed, both for passengers and for towing, and should she answer present expectation, will be of great advantage to the business of this valley.

—

A correspondent of the Portland Courier gives the following definitions of some of the names given by the Indians to American rivers and lakes: "Ocmulgee—*boiling, bubbling, water* Wetumpkan, the name of the falls of the Chattahouche, *rolling or troubled waters*. Fullulah, the name of a fall where the water pours down some hundred feet, *awful, terrible*. Alleghany, *clear water*. Ohio, *most beautiful of rivers*. Canandaigua, *place of rest*. Schenectady, *over the plain*. Connecticut, *long river*. Winnipiseogee, *the smile of the great spirit*.

—

U. S. district court. United States. vs. *Hiel Brockway*. The court, judge Conkling presiding, now in session at Albany, was occupied three days in the trial of this cause, which grew out of the seizure of one of Mr. Brockway's canal packet boats, which run between Buffalo and Rochester, on a charge of smuggling. The trial resulted in a verdict for the government. We understand that the value of property seized, with the judgment and costs, will amount to six or seven thousand dollars. [*Alb. Jour.*

—

The following relate to the two great [southern] points between the east and the west—

The *Pittsburgh Gazette* says—

In order to give an idea of the amount of business now done in *Pittsburgh*, the following statement has been procured from correct sources:—

Books and paper sold yearly,	450,000
Drugs and medicines, paints, &c.,	175,000
Hardware,	400,000
White lead,	150,000
Beer and porter,	80,000
Lumber,	350,000
Pork,	300,000
Glass, green and cut,	250,000
Amount of sales by 8 rolling mills, 9 foundries and 7 engine manufactories,	1,690,000
Cotton business,	350,000
Building and finishing steam boats,	300,000
Brush business,	20,000
Copper and tin business,	75,000
Grocers and liquor dealers,	2,000,000
Wholesale and retail dry grood stores,	2,800,000
Plough, wagon business, shovels, &c.	100,000
Coal,	250,000
Furniture and leather business,	250,000
	$10,700,000

Very many heavy items have been omitted, and this rough statement has been hastily prepared, in order to show the necessity under which we labor.

The "Times" observes—

"There has never been witnessed before in this city, such a concourse of travellers, or such bustle in the commercial line. The hotels for some days have been utterly unable to accommodate the crowds, arriving by the stages and canal packets."

Prosperity of Wheeling. As an evidence of the increasing prosperity of this place, it is stated in the Wheeling Gazette, that some lots recently purchased, have changed hands, at an advance of 50 and 100 per cent. and that an active spirit of speculation prevails in relation to real estate generally. In the more public streets, old frame buildings are being pulled down, and brick ones going up in their place; and great preparations are making for building generally. A town has been laid off by Mr. Martin, on the ferry landing on the Ohio side, and in a few days seventy lots, at $100 each, were sold The editor adds, that "while these golden hopes are animating the speculators, our stores and workshops are doing a more substantial and certain business"—and as an evidence of the spirit that prevails says, that Mr. Phillips, the engine maker, has eight steam engines now under way, and that additional orders are coming in weekly.

Among the contracts which Mr. Phillips, one of the engine builders, is now filling, (says the Wheeling Gazette), is one from *Cheraw, South Carolina*, for an engine to be used on the *Pee Dee river*. What a train of thought is here opened to the mind—a town in the west, which a few years ago contained but a handful of inhabitants, now furnishing steam engines to the southern most parts of this wide union! The one spoken of can be sent to its place of destination either by way of New Orleans or Baltimore. If by the former, the freight will be half a cent per pound—insurance one per cent. on the cost: if by Baltimore, it will be taken from here in wagons on the national road, at a charge of one cent per pound—no insurance. The whole cost of delivering it in Cheraw, it is supposed, will be 400 dollars, making the cost of the engine there about 4,000 and saving to its owners from 500 to 1,000 dollars over one obtained from the Atlantic workshops.

Some small idea may be gathered of the importance of *Wheeling*, from the fact, that during the year, ending on the 31st March, there were registered on the books of the Virginia hotel, no less than 17,000 names, travellers who went there either for business or pleasure, independently of those—and they amounted to some thousands—who merely stopped for temporary purposes. At the United States hotel, in the same town, during the past ten weeks, the time in which it has been occupied by its present proprietor, the number of registered names was 1,536.

—

Wm. Adams, the negro, who was condemned for the murder of captain Tilden, was executed yesterday morning, about half past 11 o'clock, at the jail yard. We understand that he addressed the crowd for about 10 minutes. We were sorry to learn that the crowd was very large; and was composed principally of females.

STATISTICAL.

The population of Rome is said to be 147,000. There are in the city 64 churches, 34,809 families, 80 bishops, 1,450 priests, 2,000 monks and friars, 1,500 nuns. Paris and London are much larger, but the proportion of ecclesiastics is much less.

In England the condemnations to death for 21 years from 1813 to 1833, are given as 23,700; executions, 933; giving 1,128 average annual condemnations, and 44 executions; an enormous proportion when compared with those of France or Belgium. The following table will show this proportion still more distinctly: the medium executions in France, from 1815 to 1832 amounted to 67, or 1 for 477,000 souls. In England, from 1827 to 1833, to 44, or 1 for 265,000 souls. In Belgium, from 1815 to 1829, to 4 1-7, or 1 for 680,000.

Of 121 deaths at New York, in a week, *thirty-four* were of consumption!

Beautiful statuary marble, said to be of the finest texture and of snowy whiteness, has been discovered in the neighborhood of Lynchburg. In some places it runs into the *verd antique* variety. "In some specimens of the latter variety, the prevailing color is a cheerful green, agreeably blended with clouds of white, so as to give it a fine flocculent appearance. Some specimens of the white variety are highly translucent."

From the National Intelligencer. In Rhode Island there are in operation 129 cotton mills, containing about 235,000 spindles and 6,000 looms. The capital directly invested is about $6,500,000. They use 11,000,000 pounds of cotton, and turn out 39,000,000 yards of cloth annually. There are directly employed in manufacturing 6,000 females and 3,000 males, and upwards of three thousand of that number are under twelve years of age. The weekly wages for females average $2 25; for males, including boys, $5 25. Whole amount of wages paid to the dependants of the manufactories, about $50,000 weekly, or $2,600,000 per annum. The machine shops, bleaching, callendering, printing and other establishments, amount to an addition of about one-fourth. There is used for sizing, &c. about 2,000 barrels of flour, 2,000 tons of coal, 2,000 cords of wood, 80,000 gallons of oil, and about $100,000 per annum in other articles, all for the manufactories only. The increased business and consumption for the manufacturing population is not estimated.

The Chesapeake and Ohio canal company can furnish as much water power within the District of Columbia, as will propel every machine now in operation in the state of Rhode Island, but which must lie dormant for years, if the price at which the water is now held shall not be materially reduced. Would not the canal company be infinitely more benefitted by giving the water without charge to such establishments, at the termination of the canal, and derive their income from the increased business on it, than by holding it at an ordinary price for revenue, prevent its occupation? Capital and manufacturing skill can only be brought here by liberal encouragement.

The total number of persons employed in navigating the *Mississippi* and its waters, is estimated at 43,000!

The Philadelphia Commercial Herald contains a list of vessels built at that port within the last ten years. The number of square rigged vessels has been less and less from year to year, until during 1834, it was but one ship, one barque and four brigs. The whole number built in ten years is 46 ships, 4 barques, 64 brigs, 85 schooners, 100 sloops and 15 steamboats.

In 1820, when anthracite coal was first used in New York city, 365 tons were imported. Now the consumption is 1,931,207 tons.

Taxable property in Ohio, in 1826 *and* 1835. By the assessments of 1826, there were returned 15,143,000 acres of land, valued at $37,474,495. This, together with the personal property, made a total valuation of $59,537,346. At this time, however, grist, saw and oil mills, distilleries and breweries, money at interest, &c. were not taxed.

In 1835, the appraisers returned 17,028,850 acres of land, valued at $83,922,892—which together with all other property subjected to taxation, as equalized by the state board, made a total valuation of $94,549,086.

It appears from a circular of the honorable *J. M. White*, the delegate in congress from Florida, that, in the last ten years, the sum of fifteen hundred thousand dollars has been expended by the general government in that territory.

It is but a short time since metallic pens were introduced in to general use. But the demand for them is astonishingly great, and is every day increasing. It is computed that the quantity of steel consumed in Great Britain during the last year in the manufacture of pens amounted to *one hundred and twenty tons!* —each ton producing 1,900,000 pens—making a total amount of 228,000,000. [They were the invention of Mr. *P. Williamson*, then of Baltimore].

ITEMS.

The corporation of New York are making many "reformations" in the officers of the city.

It is stated that the reported changes in the "cabinet," at Washington, are unfounded—and that

"The president has prepared a circular directing that all the clerks shall pay their debts, and lead sober and moral lives. The postmaster general this day issued an order to the chief of the examining bureau of his department, directing a report to be made to him of the habits and efficiency of each clerk in that bureau. This smacks of reform. The new postmaster general is at his post at eight o'clock every morning, and, consequently, the old clerks who formerly appeared at eleven, now muster at nine."

The legislature of Connecticut has passed, by a large majority, the resolution instructing the senators of the state in congress to vote for expunging from the records of the United States senate, the resolutions censuring the president in relation to the public deposites.

[To which the senators will pay no manner of attention, except to say that they will not do the bidding of the legislature. The "right of instruction" is running into a wrong against the constitution].

The receipts for tolls on the New York canals during 30 days ending 14th inst. amounted to $246,602; being $51,580 more than had been received prior to the same date last year.

At 2 o'clock on the morning of the 15th inst. the Planters' Hotel, in New Orleans, being in a state of repair, fell with a tremendous crash, and buried a large number of persons in its ruins. Many had been dug out—some dead and others horribly mangled. The extent of the calamity was not known when the account came away.

The steamboat Majestic, while stopping at Memphis, Ten. on her way from New Orleans to St. Louis, exploded on the 13th inst. and forty persons were killed and missing—chiefly German emigrants! This probably happened to save 50 cents worth of wood, by holding on the steam. We hope that the boat was blown into atoms, and the captain and engineer killed, as they deserved to be.

The Cincinnati Post of the 20th inst. says—We are informed by a gentleman just arrived from New Orleans in the Henry Clay, that when he left, (about 14 days since), there were 40 cases of cholera in that city. He passed a flat boat at the Upper Cotton Press, which had on board the uncoffined bodies of eight persons who died with it. If death has commenced there with such eagerness his campaign, before the season concludes his havoc will be dreadful.

NAPOLEON AND THE INDEMNITY.

Considerable sensation was produced in the French chamber of deputies, in the course of the late debate on the American indemnity, by the president producing and reading the original memorial of our minister to Napoleon, (then first consul) and his order thereon. It ran as follows:—"I request the citizen Talleyrand to make a report on the two subjects contained in this note, and especially on the first (American claim). *There is no question of a want of ability to pay:* IF WE OWE WE MUST PAY." [*Phil. U. S. Gaz.*

LATE FOREIGN NEWS.

GREAT BRITAIN AND IRELAND.

The following is the new ministry—

The cabinet.

First lord of the treasury, lord Melbourne.
President of the council, lord Lansdowne.
First lord of the admiralty, lord Auckland.
Chancellor of the Duchy of Lancaster, lord Holland.
Woods, works, and privy seal, lord Duncannon.
Home secretary, lord J. Russell.
Foreign secretary, lord Palmerston.
Colonial secretary, Mr. Charles Grant.
India board, sir J. Hobhouse.
Secretary of war, lord Howick.
Board of trade, Mr. Poulet Thomson.
Chancellor of the exchequer, Mr. Spring Rice.

Not in the cabinet.

Lord lieutenant of Ireland, earl Mulgrave.
Lord chancellor of Ireland, lord Plunkett.
Chief secretary for Ireland, viscount Morpeth.
Postmaster general, marquis Conyngham.
Lord chamberlain, marquis Wellesly.
Lord stewart, duke of Argyle.
Master of the horse, earl of Albemarle.
Paymaster general and treasurer of the navy, sir H. Parnell.
Vice president of the board of trade, and master of the mint, Mr. Labouchere.
Lords of the treasury, lord Seymour, Mr. Stewart, & Mr. Ord.
Lords of the admiralty, lord Dalmeny, sir William Parker, honorable captain Elliot, sir T. Troubridge, Bart.
Joint secretaries of the treasury, Mr. Baring, Mr. Stanley.
Secretary of the admiralty, Mr. Charles Wood.
Secretaries of the board of control, Mr. Robert Gordon, Mr. Vernon Smith.
Judge advocate general, Mr. R. C. Fergusson.
Clerk of the ordnance, colonel Leith Hay.
Surveyor general of ordnance, sir Rufane Donkin.
Under secretary home department, honorable Fox Maule.
Under secretary of the colonies, sir George Grey.
Attorney general, sir J. Campbell.
Solicitor general, Mr. Rolfe.
Lord advocate for Scotland, Mr. Murray.
Solicitor general for Scotland, Mr. Cuninghame.

Attorney general for Ireland, Mr. Perrin.
Solicitor general for Ireland, Mr. O'Loughlen.

The house of lords, on the motion of lord Melbourne, had adjourned to the 30th April, with an understanding that no public business was to be taken up before the 12th May—to give time to ministers to make such regulations as their call to office required.

The honorable Alexander Baring has been raised to the peerage by the title of baron Ashburton, in the county of Devon.

Ireland is much disturbed. Many of the clergy of the church of England are reduced to great distress by the failure of the tithes.

American stocks, April 23. New York 5 per cents. 1837, 96; 5 per cent. 1845, 104. Pennsylvania 5 per cents. 101¾ to 103. Louisiana, Barings 101½ to 102. Mississippi 6 per cent. 56. Do. new 108 to 109½. U. S. bank shares £23 5s. Lou. state bank, £26 10s. Bank of do. £27 10s. N. O. city and bank co. £22 5s. to £22 10s. New Jersey canal, &c. bonds 5 per cent. 1864, 5 premium.

FRANCE.

From the 13th to the 16th the chamber was engaged in discussing the American indemnity bill. Mr. Berryer was very earnest against it, and spoke lightly of the alleged "misery that its rejection would bring upon 500,000 of the working classes" of France; but the minister of the interior ably supported the bill. On the 18th, the vote was taken. The following, from the London Times of April 21st, gives us the particulars.

"The Paris papers which we received at a late hour this morning by express, put us in possession of the whole report of Saturday's proceedings in the chamber of deputies, by which we find that the debate on the American claims has been brought to a close. The bill, as amended by the committee, proposing a grant of 25,000,000 francs, was voted by a majority of 289 against 137. According to an amendment proposed by general Valaze, to which ministers assented, and which was agreed to by the chamber, the indemnity is not to be paid until after the French government shall have received satisfactory explanations with regard to the message of the president of the union, dated December 2, 1834. Two other amendments—one, that no interest should be paid, and the other, that the interest should only commence from the date of the passing of the bill, were both lost. From some observations in the Journal des Debats upon the passing of this bill, it would appear that Mr. Livingston is not expected to remain at Paris in his diplomatic character, nor return thither as ambassador, should he go to America. The Journal thus expresses itself—"It is probable that Mr. Livingston will think proper to be the bearer himself to his government of the account of all that has passed here, in order not to expose himself a second time to the inconvenience of having his correspondence published. It is probable, also, that the American government will think proper not to send him back to France, in order to spare him the inevitable embarrassment under which he must labor, after the written expressions that have been attributed to him in the course of the debate. We do not blame the American government for having given so complete and so prompt a publicity to Mr. Livingston's letters; perhaps it was demanded by the forms and practice of her institutions; but such publicity must often have the effect of sacrificing individual negotiators, it being impossible to require that the negotiator, who has spoken publicly ill of the country to which he is accredited, should continue to be well received by the people he has offended. These are the reasons which induce us to look upon the longer stay of Mr. Livingston in Paris as very difficult, and his return very uncertain."

The condition that the president's message at the opening of congress shall receive a satisfactory explanation will of course make no trouble. The speech of M. Berryer which attracted some notice at the date of previous advices, was replied to and withdrawn by M. Thiers, minister of the interior, and the duke de Broglie.

The Liverpool Journal of the 25th April, says—The protracted debate in the French chamber of deputies, on the American indemnity bill, was brought to a close on Saturday, when, as we anticipated months ago, the French made a virtue of necessity, and the bill was carried by a majority of 152 votes—there being 289 for, and 137 against it. Every amendment proposed by the opposition (except one) was rejected. After the bill was passed, the opposition proposed, first, that no interest should be paid, and next, that the interest should commence only on the day the bill passed. The chamber of deputies negatived these propositions; consequently, the whole sum of 25 millions of francs will be paid, together with full interest from the date of the treaty. The arrears of interest will amount to nearly 5,000,000 of francs. All, therefore, that France has *gained* by the delay—by the shabby shuffling about the whole business—by the attempted tricking—by the aim at national swindling, amounts to this: first, that the national vanity has been sorely wounded by the threats of the American president; secondly, that the honor of France has been tarnished, in the eyes of Europe, by this swindling transaction; and, thirdly, that full interest must be paid on the money since the treaty was signed.

The following is the amendment proposed by gen. Valaze, and which was adopted—"The payments to be effected in execution of the first article of the present bill shall take place only after the French government shall have received satisfactory explanations as to the message of the president of the United States, dated December 2, 1834."

Now it would be a full and complete answer on *our part*, (says the N. Y. American), to the requisition of this amendment, to recall and reiterate the following declaration, which, in the president's annual message, immediately follows the recommendation, that, in a certain contingency, reprisals be resorted to.

"Such a measure ought not to be considered by France as a menace. Her pride and power are too well known, to expect any thing from her fears, and preclude the necessity of a declaration, that nothing partaking of the character of intimidation is intended by us."

The English correspondent of the New York Star has the following notice of the indemnity subject:

On Saturday, (April 18), the members of the chamber of deputies, at Paris, closed the debate on the American indemnity bill. All the amendments were rejected, save one, to the effect that the money shall not be paid until some apology or explanation, be tendered by the United States to the French government, for the harsh terms in which the American president alluded to the non-fulfilment of the treaty. With the exception of this article—*inserted with the concurrence of the ministry*—the bill remains exactly the same as it was presented by the committee to the chamber. The bill was carried by a far larger majority than even the ministers expected—there being 289 votes for, and 137 against it. I believe it is pretty well ascertained that upwards of 200 deputies were pledged to vote against it. As soon as this majority had passed the bill—thereby deciding that the 25 millions be paid to America—two other amendments were proposed: one, that the debt should bear no interest, and the other, that the interest should only commence from the day on which the bill was carried. The chamber rejected these "amendments," and there consequently remains something about 30 millions of francs to be paid on account of this bill, by France to America.

But—the apology? Bah! There will be no such thing, and, what is more, *the French ministry do not expect it*. Mr. Livingston, your "polite letter writer," will leave France, and that will be all the apology.

The presidential threat was an *individual* act, virtually disapproved of by the senate and house of representatives.

The Journal des Debats approves general Valaze's amendment, which reconciles the interests of the national dignity with those of justice.

"As we owe, we pay; but as the payment has been demanded in language wanting in measure, before payment, we require that the national dignity should be satisfied. This is a proceeding at once just and noble: it is the proceeding of a great nation, as much above threats as above the idea of taking advantage of an insult to declare itself free from all debt. Mr. Livingston, with all his legation, was to quit France if the bill was not adopted. It has been adopted."

SPAIN.

General Mina had resigned the command of the army of the queen of Spain, on account of the state of his health. In his letter of resignation he speaks in strong terms of the increased strength and brightening prospects of the army. General Valdez had been appointed in his place.

In the mean time the war appears to be carried on with frightful cruelties on both sides. General Cordova, in the north, is said, not only to have burnt a Carlist hospital, but to have executed all the sick and wounded he found in it. A village named Licaeroz had been destroyed by general Oraa, and he had issued a proclamation, threatening a like fate to such places as should imitate the example of its inhabitants.

HOLLAND.

The official list of the Dutch navy has just been published, from which it appears it consists of two ships of 84 guns, six of 74, one of 64, three of 60, sixteen of 44, six of 32, twelve of 28, four of 20, nine of 18, four of 14, one of 12, three of 8, four steamboats and four transporters—in all 75.

EGYPT.

According to accounts from Alexandria of the 23d ultimo, of 19,000 persons who, up to that time, have been attacked by the plague, 10,000 had died.

A rigid quarantine has been ordered in the Mediterranean ports on vessels from Egypt.

IMPORTS AND EXPORTS OF THE UNITED STATES.

Summary statement of the quantity and value of goods, wares and merchandise, imported into the United States in American and foreign vessels, commencing on the 1st day of October, 1833, and ending on the 30th day of September, 1834.

Species of merchandise.	*Quantity.*	*Total. Value.*
MERCHANDISE FREE OF DUTY.		
Articles imported for the use of the U. States		$9,244
Articles specially imported for incorporated philosophical societies—		
Philisophical apparatus, instruments, &c.		1,858
Books, maps and charts		26,139
Statuary, busts, casts and specimens of sculpture		1,082
Paintings, drawings, etchings and engravings		4,945
Cabinets of coins and gems		
Medals and collections of antiquity		
Specimens of botany		9,669

Models and inventions of machinery			135
Anatomical preparations			512
Antimony, regulus of			16,330
Lapis calaminaris, tutenegue, spelter or zinc			27,932
Burr stones, unwrought			33,840
Brimstone and sulphur			55,876
Bark of the cork tree			1,883
Clay, unwrought			9,087
Rags of any kind of cloth			517,446
Undressed furs of all kinds			360,203
Hides, raw			3,296,688
Plaster of Paris			175,633
Barilla			49,546
Wood—dye			604,406
Unmanufactured mahogany			353,905
Animals for breed			26,808
All other			89,946
Old pewter			1,930
Tin—in pigs and bars			114,210
Brass—in pigs and bars			193
Old			3,760
Copper—in pigs and bars			586,791
In plates suited to the sheathing of ships			459,923
For the use of the mint			18,823
Old, fit only to be remanufactured			105,053
Bullion—gold			293,665
Silver			514,417
Specie—gold			3,472,507
Silver			13,631,043
Teas, from India, China, &c.	pounds	16,274,679	6,213,835
Coffee	do.	80,153,366	8,762,657
Cocoa	do.	2,757,309	229,147
Fruits—Almonds	do.	2,009,008	196,874
Currants	do.	556,497	24,491
Prunes	do.	781,959	69,331
Figs	do.	2,152,533	83,187
Raisins, in jars	do.	6,897,517	477,318
All other	do.	7,423,567	306,516
Camphor	do.	40,859	13,389
Spices—Mace	do.	4,405	5,784
Nutmegs	do.	70,109	77,350
Cinnamon	do.	34,443	35,182
Cloves	do.	260,577	45,923
Black pepper	do.	1,826,800	74,962
Pimento	do.	1,261,692	104,781
Cassia	do.	1,546,430	123,822
Ginger	do.	691,321	26,958
All other free articles			26,647,645
Total			$68,393,180

MERCHANDISE SUBJECT TO DUTIES AD VALOREM.

Manufactures of wool—			
Cloth and cassimeres			$4,364,340
Merino shawls			
Blankets, not above 75 cents each			408,943
above 75 cents each			659,122
Hosiery, gloves, mitts and bindings			383,977
Yarn			298
Other manufactures of wool			203,787
Worsted stuff goods			555,121
Worsted yarn			166,209
Manufactures of cotton—			
Dyed, printed, colored or stained			6,668,823
White			1,766,482
Hosiery, gloves, mitts and bindings			749,356
Twist yarn, or thread			379,793
Nankeens			47,337
Other manufactures of cotton			533,390
Silks from India, China, &c.—			
Piece goods			1,493,893
Hosiery, gloves, mitts and bindings			
Sewing silk			31,121
Other manufactures of			120
Silks from other places—			
Piece goods			716,765
Hosiery, gloves, mitts and bindings			16,205
Sewing silk			297,808
Other manufactures of			53,437
Manufactures of silk and worsted			51,766
Camlets of goats' hair, &c.			12,692
Lace—thread and cotton			1,017,488
Silk, silk veils, shawls, shades, &c.			17,648
Manufactures of flax—			
Linens, bleached and unbleached			301,502
Checks, striped and dyed linen			88,480
Other manufactures of flax			396,909
Manufactures of hemp—			
Ticklenburgs, osnaburgs and burlaps			23,278
Russia sheeting, brown and white			128,664
Sail duck			720,780
Other manufactures of hemp			21,955
Hats and bonnets—			
Leghorn, chip, straw or grass flats, &c.			422,305
Fur, wool, leather, &c.			10,027
Manufactures of iron, or of iron and steel—			
Side arms			23,251
Fire arms not specified			266,336
Drawing knives			15,068
Cutting knives			3,298
Hatchets, axes and adzes			10,409
Socket chisels			16,456
Steelyards and scalebeams			17,236
Vices			26,842
Sickles, or reaping hooks			11,964
Scythes			63,371
Spades and shovels			25,410
Squares of iron and steel			5,123
Wood screws			141,560
All other manufactures of			3,470,543
Manufactures of—			
Copper			52,137
Brass			354,752
Tin			110,379
Pewter			23,636
Lead, not specified			1,158
Wood—Cabinet wares			36,564
Other articles			116,189
Leather			649,902
Marble, except busts			29,429
Manufactures of—			
Gold and silver, and all articles composed of pearls, &c.			172,319
Watches, and parts of watches			718,747
Glassware—Cut, and not specified	pounds	37,667	23,592
Plain, and other glass	do.	1,405,211	163,296
Other articles of, paying a duty of 20 pr. ct.			169,447
Wares—China and porcelain			218,613
Earthen and stone			1,372,800
Plated, not specified			206,389
Gilt			59,349
Saddlery—Common tinned and japanned			116,441
Plated, brass and polished steel			220,972
Coach and harness furniture			18,091
Carriages, and parts of			1,366
Slates of all kinds			33,999
Quills, prepared			45,072
Black lead pencils			4,373
Paper hangings			93,592
Bolting cloths			4,586
Hair cloth and hair seating			27,736
Brushes of all kinds			21,788
Copper bottoms			6,249
Braziers' copper			5,216
Sheet and rolled brass			4,549
Silvered or plated wire			957
Raw silk			78,708
Indigo	pounds	921,894	999,863
Wool, unmanufactured, exceeding 8 cents per pound	do.	591,313	317,995
Articles not enumerated, paying a duty of 5 pr. ct.			102,408
Do. do. 10 do.			257
Do. do. 12 do.			2,715
Do. do. 12½ do.			145,375
Do. do. 15 do.			1,044,583
Do. do. 20 do.			1,696
Do. do. 25 do.			925,045
Do. do. 30 do.			67,965
Do. do. 35 do.			556
Do. do. 40 do.			29
Do. do. 50 do.			163,390
Total			$35,608,208

MERCHANDISE PAYING SPECIFIC DUTIES.

Woollens—Flannels	sq. yds.	407,433	200,580
Bockings and baizes	do.	108,198	40,083
Carpeting—Brussels, Wilton and treble ingrained	do.	118,008	197,037
other ingrained & Venetian	do.	257,022	199,831
Stamped, printed, or painted floor cloths	do.	15,503	16,040
Oil cloth, all other	do.	102,207	27,398
Cotton bagging	do.	1,962,920	237,260
Felts or hat bodies	No. of	147	249
Wine—Madeira, in casks and bottles	galls.	392,506	599,664
Sherry	do.	184,624	241,987
Sicily	do.	375,841	177,781
Red, of France, in casks	do.	1,345,505	499,701
Other of France	do.	671,269	202,438
Of France, in bottles and cases	do.	247,254	377,543
Red, of Spain & Austria in casks	do.	401,251	86,156
Other of Spain, Austria, Germany & Mediterranean, in casks	do.	1,130,444	405,310
Of other countries not enumerated, in casks	do.	447,523	393,143
Not enumerated, in bottle & cases	do.	19,846	30,665
Spirits—From grain	do.	564,453	264,349
From other materials	do.	1,946,901	1,054,905
Molasses	do.	17,086,472	2,989,020
Beer, ale and porter—In casks	do.	4,943	2,520
In bottles	do.	85,594	96,359
Vinegar	do.	71,332	15,737
Oil—Foreign fishing—Spermaceti	do.	7	10
Whale & other fish	do.	34	15
Olive, in casks	do.	248,491	148,816
Castor	do.	5	9
Linseed	do.	507,790	315,972
Rapeseed	do.	26	26

Hempseed	gallons	212	146
Teas from other places than India, China, &c.	pounds	8,298	4,114
Chocolate	do.	3,849	942
Sugar—Brown	do.	107,483 841	5,027,377
White clayed	do.	7,906 014	510,452
Loaf	do.	988	127
Candy	do.	682	88
Other refined	do.	521	53
Syrup of sugar cane	do.	50	5
Cayenne pepper	do.	224	70
Candles—Wax and spermaceti	do.	2,757	1,323
Tallow	do.	120,337	10 901
Cheese	do.	193 213	22,234
Soap	do.	297,414	18,637
Tallow	do.	1,104,029	75,580
Lard	do.	1,031	90
Beef and pork	do.	1,196.009	37,102
Bacon	do.	29,950	3,189
Butter	do.	4,072	485
Salipetre	do.		
Vitriol—Blue or Roman	do.	40	2
Oil of	do.		
Salts—Epsom	do.	10,877	376
Glauber	do.	100	4
Tobacco, manufactured—			
Snuff	do.	340	241
Cigars	M.	62,784	671,791
Other than snuff and cigars	pounds	505	118
Cotton	do.	604,616	51,982
Gunpowder	do.	18,150	5,904
Bristles	do.	146,514	69,337
Glue	do.	28,947	3,092
Ochre—Dry	do.	959,461	18,541
In oil	do.	8,131	617
Red and white lead	do.	1,024,663	57,572
Whiting and Paris white	do.	292,942	6,798
Litherage	do.	344	20
Orange mineral	do.		
Sugar of lead	do.	26,286	2,833
Lead—Pig, bar and sheet	do.	4,997 293	168,811
Shot	do.	321,507	11,900
Pipes	do.	4,202	182
Old and scrap	do.	103,355	2,869
Cordage—Cables and tarred	do.	3,395,598	147,805
Untarred and yarn	do.	160,727	6,759
Twine, packthread, &c.	do.	933,453	140,481
Corks	do.	198,205	57,567
Copper—Rods and bolts	do.	2.042	285
Nails and spikes	do.	6,873	1,474
Fire-arms—Muskets	No. of	23,749	71,876
Rifles	do.	97	1,283
Wire, cap or bonnet	pounds	6,205	1,079
Iron and steel wire—Not above No. 14	do.	108,852	5,882
Above No. 14	do.	127,720	26,402
Tacks, brads and sprigs—			
Not exceeding 16 oz. per M.	do.	5,798	1,031
Exceeding 16 oz. per M.	do.	1,005	179
Iron—Nails	do.	610,833	51,886
Spikes	do.	226,444	11,240
Cables and chains	do.	2,931,936	121,487
Mill cranks, and mill irons of wrough iron	do.	617	52
Mill saws	No. of	2,445	7,578
Anchors	pounds	224,763	11,940
Anvils	do.	989,091	61,260
Blacksmiths' hammers & sledges	do.	76,888	3,769
Castings, vessels of	do.	673,303	20,136
All other	do.	6,157,806	132,597
Round iron, or braziers' rods, of 3-16 to 8-16 inches diameter	do.	297,529	10,017
Nail or spike rods, or nail plates, slit, rolled or hammered	do.	1,553	77
Sheet and hoop	do.	4,960,516	190,237
Band iron, scroll iron, or casement rods, slit, rolled or hammered	do.	8,625	230
Pig	cwt.	222,265	270,325
Old and scrap	do.	32,746	33,243
Bar, manufactured by rolling	do.	577,927	1,187,236
Bar, manufactured otherwise	do.	635,698	1,742,883
Steel	do.	48,623	554,150
Hemp	do.	102,211	514,743
Alum	do.	2	9
Copperas	do.	61	91
Wheat flour	do.	32	81
Salt	bushels	6,038,076	839,315
Coal	do.	2,005,592	200,277
Wheat	do.	1,225	1,213
Oats	do.	1,807	506
Potatoes	do.	41,927	15,942
Paper—Folio and quarto post	pounds	21,620	9,914
Foolscap, drawing and writing	do.	316,234	51,977
Printing, copperplate & stainers'	do.	9,156	1,788
Sheathing, &c.	do:	6,460	1,024
All other	do.	100,165	25,989
Books—Printed previous to 1775	do.	6,848	6,967
In other languages than English, Latin and Greek	do.	75,868	41,026
In Greek and Latin, bound	pounds.	4,330	4,547
Do. unbound	do.	4,257	4,153
All other, bound	do.	18,446	25,352
Unbound	do.	59,572	67,451
Apothecaries' vials and bottles, not exceeding the capacity of 6 oz. each	gross	346	1,853
Exceeding 6, and not exceeding 16 oz.	do.	83	451
Perfumery & fancy vials & bottles, not exceeding the capacity of 4 oz. each	do.	55	605
Exceeding 4, and not exceeding 16 oz.	do.	2	34
Demijohns	No. of	70,736	90,763
Glass bottles—Not above 1 quart	gross	23,067	115,948
Above 1 quart	do.	187	1,473
Window glass—Not exceeding 8 by 10 inches	100 sq. feet	392	1,490
Not exceeding 10 by 12	do.	539	2,966
Exceeding 10 by 12	do.	6,485	68,876
Fish—Dried or smoked	quintals	824	7,795
Salmon	barrels	2,009	22,616
Mackerel	do.	223	691
All other	do.	1,515	11,838
Shoes and slippers—Silk	pairs	7,933	5,116
Prunelle, nankeen, &c.	do.	841	599
Leather, kid, morocco, &c.	do.	50,402	27,458
Children's	do.	5,884	2,325
Boots and bootees	do.	1,279	3,159
Playing cards	packs	941	634

Total value of merchandise paying specific duties	22,519,944
Do. do. duties ad valorem	35,608,208
Do. do. free of duty	68,393,180
Total value, dollars	126,521,332

T. L. SMITH, *Register.*

Treasury department, register's office, March 2, 1835.

Summary statement of the quantity and value of goods, wares and merchandise, of the growth, produce and manufacture of foreign countries, exported from the United States, commencing on the 1st day of October, 1833, and ending on the 30th day of September, 1834.

Species of merchandise.		*Total. Quantity.*	*Value.*
FREE OF DUTY.			
Specimens of botany			8720
Lapis calaminaris, tentenegue, spelter or zinc			5,627
Burr stones, unwrought			
Brimstone and sulphur			6,058
Bark of the cork tree			193
Undressed furs of all kinds			26,930
Hides, raw			1,404,965
Plaster of Paris			45
Wood—dye			614,624
Unmanufactured			104,900
Tin—in pigs and bars			216
Copper—in pigs and bars			91,373
In plates, suited to the sheathing of ships			54,532
Old fit only to be remanufactured			7,409
Brass—old			220
Bullion—gold			12,681
Silver			2,591
Specie—gold			276,999
Silver			1,383,987
Teas, from India, China, &c. in American vessels,	pounds	3,081,126	1,091,560
Coffee	do.	25,806,861	4,268,720
Cocoa	do.	2,024,438	219,821
Fruits—Almonds	do.	191,323	36,115
Currants	do.	44,204	2,697
Prunes	do.	46,437	4,333
Figs	do.	106,669	6,778
Raisins, in jar and box	do.	497,548	36,143
Other	do.	595,736	27,872
Camphor	do.	3,669	1,309
Spices—Nutmegs	do.	2,660	4,974
Cinnamon	do.	54,969	76,881
Cloves	do.	65,994	15,364
Black pepper	do.	3,407,041	249,643
Pimento	do.	611,494	51,570
Cassia	do.	721,725	99,849
Ginger	do.	92,735	4,876
All other free articles			2,220,586
Total, dollars			12,433,291
PAYING DUTIES AD VALOREM.			
Manufactures of wool—			
Cloths and cassimeres			$346,053
Blankets not above 75 cents each			15,770
above 75 cents each			17,663
Hosiery, gloves and mitts			534
Woollen yarn	pounds	7,310	1,675
Other manufactures of			35,303
Worsted stuff goods			376,215
Worsted yarn			1,308
Manufactures of cotton—			
Dyed, printed, colored, or stained			1,818,578
White			788,031
Hosiery, gloves, mitts and bindings			43,649
Twist yarn, or thread			82,403

Nankeens			105,477
Other manufactures of			48,716
Silks from India, China, &c.—			
Piece goods			463,676
Hosiery, gloves, mitts and bindings			412
Sewing silk			5,665
Other manufactures of			10,458
Silks from other places—			
Piece goods			319,899
Hosiery, gloves, mitts and bindings			19,190
Sewing silk			11,794
Other manufactures of			66,095
Lace—thread and cotton			67,138
Silk, silk veils, shawls, shades, &c.			212
Manufactures of flax—			
Linens, bleached and unbleached			1,288,721
Checks and stripes			20,685
Other manufactures of			41,856
Manufactures of hemp—			
Tickleenburgs, osnaburgs and burlaps			68,523
Russia sheeting, brown and white			290,732
Sail duck			110,214
Other manufactures of			10,982
Hats and bonnets—			
Leghorn, chip, straw or grass flats, &c.			19,110
Fur, wool, leather, &c.			3,546
Manufactures of iron and steel—			
Side arms			18,612
Fire arms, not specified			7,375
Hatchets, axes and adzes			410
Steelyards and scalebeams			220
Spades and shovels			396
Wood screws			298
All other manufactures of			132,986
Manufactures of—			
Copper			4,857
Brass			1,764
Lead, not specified			1,219
Wood—cabinet wares			7,970
Other articles			8,830
Leather			1,933
Marble, except busts			
Gold & silver, & all articles composed wholly or chiefly of pearls, precious stones, &c.			25,038
Watches, and parts of watches			7,905
Glassware—Cut, and not specified, &c.	pounds	3,450	2,450
Plain and other glass	do.	37,670	14,194
Other articles of, paying a duty of 20 per cent.			24,101
Wares—China and porcelain			5,237
Earthen and stone			99,779
Gilt			529
Saddlery—common, tin and japanned			160
Slates of all kinds			478
Quills prepared			493
Black lead pencils			240
Paper hangings			6,357
Hair cloth and hair seating			2,304
Sheet and rolled brass			
Raw silk			139,256
Indigo	pounds	643,632	857,056
Wool, unmanufactured, exceeding 8 cents per pound	do.	1,602,535	291,729
Articles not enumerated, paying a duty of 5 per cent.			785
Articles not enumerated, paying a duty of 12½ pr. ct.			5,110
Do. do.	15	do.	249,433
Do. do.	20	do.	45,264
Do. do.	25	do.	48,497
Do. do.	30	do.	10,363
Do. do.	50	do.	27,559
Total			8,530,519

PAYING SPECIFIC DUTIES.

Woollens—flannels	sq. yds.	33,434	19,454
Bockings and baizes	do.	6,527	3,605
Carpeting—Brussels, Wilton, and treble ingrained	do.	571	642
Stamped, printed or painted floor cloths	do.		
Oil cloth, all other than patent floor cloths	do.	4,168	1,509
Cotton bagging	do.	2,927	300
Wines—Madeira	gallons	38,666	28,687
Sherry, in casks and bottles	do.	206	385
Sicily, in casks and bottles	do.	8,172	4,903
Red, of France, in casks	do.	265,464	65,966
Other of France, in casks	do.	8,403	3,588
Of France, in bottles and cases	do.	37,211	37,601
Red, of Spain and Austria in casks	do.	18,139	8,926
Other of Spain, Austria, Germany and the Mediterranean, in casks	do.	110,195	46,576
Of other countries, not enumerated, in casks	do.	148,594	67,461
Not enumerated, in bottles and cases	do.	14,171	21,996
Spirits—from grain	do.	18,402	10,430
From other materials	do.	493,435	278,998
Molasses	do.	58,736	13,797
Beer, ale and porter—in casks	do.	2,779	1,605
In bottles	do.	2,544	2,806
Vinegar	do.	10,970	2,523
Oil—olive, in casks	do.	5,745	4,192
Linseed	do.	29,781	14,609
Teas from other places than India, China, &c.	pounds	182	194
Chocolate	do.	40	20
Sugar—brown	do.	11,035,936	622,139
White clayed, &c.	do.	2,998,602	212,083
Loaf	do.	3,919	456
Other refined	do.	756	112
Candles—tallow	do.	90,673	9,817
Cheese	do.	99,943	13,283
Soap	do.	49,477	3,951
Tallow	do.	216,237	14,900
Beef and pork	do.	1,379,106	46,687
Saltpetre	do.	539,881	35,296
Tobacco, manufactured—			
Snuff	do.	4,798	1,230
Cigars	M.	11,784	129,695
Cotton	pounds	457,351	49,881
Gunpowder	do.	3,030	1,497
Bristles	do.	500	270
Ochre—dry	do.	44,381	1,357
Red and white lead	do.	88,646	6,598
Whiting and Paris white	do.	37,000	469
Lead—pig, bar and sheet	do.	921,819	35,533
Shot	do.	4,255	235
Pipes	do.	2,699	110
Cordage—cables and tarred	do.	2,620,179	156,447
Cordage—untarred and yarn	do.	28,755	1,600
Twine, packthread, &c.	do.	38,493	5,869
Corks	do.	21,377	5,197
Copper—nails and spikes	do.	3,070	600
Fire arms—muskets	No. of	18,397	71,677
Iron and steel wire—not above No. 14	pounds	1,120	127
Above No. 14	do.	236	65
Iron—nails	do.	23,791	2,075
Spikes	do.	2,700	214
Anvils	do.	309	25
Castings, vessels of	do.	32,665	1,[illegible]
All other	do.	620,445	38,187
Round iron, as braziers' rods of 3-16 to 8-16 inches diameter	do.	3,977	188
Sheet and hoop	do.	208,712	13,311
Pig	cwt.	753	1,509
Old and scrap	do.	89	80
Bar, manufactured by rolling	do.	8,708	28,875
Bar, manufactured otherwise	do.	4,094	12,371
Steel	do.	16,695	40,157
Hemp	do.	400	2,400
Salt	bushels	50,495	13,219
Coal	do.	15,926	3,189
Paper—folio and quarto post	pounds	4,975	2,249
Foolscap, drawing and writing	do.	303,294	47,726
Sheathing, binders', wrapping, &c.	do.	77,062	13,181
All other	do.	51,116	11,297
Books—in other languages than English, Latin and Greek	volumes	861	1,021
All other, bound	pounds	14,532	5,619
Unbound	do.	129	50
Apothecaries' vials and bottles, exceeding 6, and not exceeding 16 oz. each	gross	111	250
Demijohns	No. of	15,267	9,207
Glass bottles—not above 1 quart	gross	1,491	8,185
Above 1 quart	do.	2	12
Window glass—not exceeding 8 by 10 inches	100 sq. feet	56	369
Exceeding 8 by 10, and not exceeding 10 by 12	do.	33	135
Exceeding 10 by 12	do.	63	487
Fish—all other	barrels	543	1,200
Shoes and slippers—leather, kid and morocco	pairs	1,336	1,670
Boots and bootees	do.	456	800
Playing cards	packs	500	100
Total value of merchandise paying specific duties			2,348,691
Do. do. duties ad valorem			8,530,519
Do. do. free of duty			12,433,201
Total value, dollars			23,312,411

T. L. SMITH, register.

Treasury department, register's office, Feb. 25, 1835.

Summary statement of the value of the exports of the growth, produce and manufacture of the United States, during the year commencing on the 1st day of October, 1833, and ending on the 30th day of September, 1834.

THE SEA.

Fisheries—	
Dried fish, or cod fisheries	$630,384
Pickled fish or river fisheries, herring, shad, salmon, mackerel	283,000
Whale and other fish oil	740,619

Spermaceti oil		50,048	
Whalebone		169,434	
Spermaceti candles		257,718	
			$2,071,493
THE FOREST.			
Skins and furs		797,844	
Ginseng		70,202	
Product of wood—			
Staves, shingles, boards, hewn timber	$1,901,628		
Other lumber	192,098		
Masts and spars	22,457		
Oak bark, and other dye	71,747		
All manufactures of wood	319,131		
Naval stores—			
Tar, pitch, rosin and turpentine	525,390		
Ashes—pot and pearl	557,500		
		3,589,951	
			4,457,997
AGRICULTURE.			
Product of animals—			
Beef, tallow, hides, horned cattle	755,219		
Butter and cheese	190,099		
Pork, (pickled), bacon, lard, live hogs	1,796,001		
Horses and mules	233,554		
Sheep	29,002		
		3,003,875	
Vegetable food—			
Wheat	39,598		
Flour	4,520,781		
Indian corn	203,573		
Indian meal	491,910		
Rye meal	140,306		
Rye, oats, and other small grain and pulse	49,465		
Biscuit, or ship bread	231,708		
Potatoes	38,567		
Apples	41,849		
Rice	2,122,272		
Indigo	148		
		7,880,177	
			10,884,052
Tobacco			6,595,305
Cotton			49,448,402
All other agricultural products—			
Flaxseed		281,990	
Hops		164,577	
Brown sugar		6,461	
			453,028
MANUFACTURES.			
Soap and tallow candles		616,692	
Leather, boots and shoes		177,731	
Household furniture		177,309	
Coaches and other carriages		50,683	
Hats		181,726	
Saddlery		41,548	
Wax		86,803	
Spirits from grain, beer, ale and porter		110,601	
Snuff and tobacco		328,409	
Lead		805	
Linseed oil and spirits of turpentine		42,912	
Cordage		22,062	
Iron—pig, bar and nails		58,744	
Castings		65,762	
All manufactures of		111,985	
Spirits from molasses		73,827	
Sugar, refined		219,153	
Chocolate		1,422	
Gunpowder		234,986	
Copper and brass		198,273	
Medicinal drugs		119,671	
			2,911,104
Cotton piece goods—			
Printed or colored	185,619		
White	1,756,136		
Nankeens	1,061		
Twist, yarn and thread	88,376		
All other manufactures of	51,802		
		2,085,994	
Flax and hemp—			
Cloth and thread		4,889	
Bags, and all manufactures of		6,162	
Wearing apparel		60,819	
Combs and buttons		169,206	
Brushes		3,274	
Billiard tables and apparatus		849	
Umbrellas and parasols		20,518	
Leather and morocco skins, not sold per pound		11,822	
Printing presses and type		14,805	
Fire engines and apparatus		86	
Musical instruments		6,269	
Books and maps		35,857	
Paper and other stationary		58,327	
Paints and varnish		15,946	
Vinegar		3,805	
Earthen and stoneware		12,745	
Manufactures of glass		79,299	
Tin		2,230	
Pewter and lead		2,224	
Marble and stone		7,359	
Gold and silver, and gold leaf		4,422	
Gold and silver coin		400,500	
Artificial flowers and jewelry		7,898	
Molasses		5,934	
Trunks		4,438	
Brick and lime		4,294	
Domestic salt		54,097	
			3,086,908
Articles not enumerated—			
Manufactured		650,381	
Other		465,492	
			1,115,873
Total			$81,024,162

T. L. SMITH, *register.*

Treasury department, register's office, Feb. 17, 1835.

THE SILK CULTURE.

From the Albany Evening Journal.

We publish, with great pleasure, the following answer of the honorable S. M. Hopkins to the letter of chief justice Spencer, on this most interesting subject. It is gratifying to see the attention of distinguished citizens turning upon a question so vastly important to our country:

Geneva, May 12th, 1835.

To the honorable *Ambrose Spencer:*

DEAR SIR: The honor you have done me by associating my name with yours, in a late letter on silk and the mulberry tree, would be most fitly acknowledged by my rendering some useful service, if I were able, to the cause of public improvement. Having, however, nothing of my own to offer, I have taken a few days, since your letter, to gain information of the mulberry plantations, which have sprung up in this neighborhood, in consequence of the report, which, as chairman of the committee on agriculture, you presented to congress on this subject. And I desire to address to you publicly the result of this information, limited as it is, for several reasons—that the public may be prepared for the great change in this branch of production which I verily believe is approaching—that producers may feel confidence in having a staple market, such as any large product will always command, though one more limited, may perish for the want of it; that you, personally, may see more of the fruit of your labors—and, generally, that those who labor for the public good, may have another example of successful effort, and may know that their names are often blessed by thousands whom they never hear of.

Within a circle of twenty miles round this place, there are the means of entering upon the culture of silk almost immediately, and upon an extensive scale. One plantation of mulberry, if I am rightly informed, contains sixteen acres. There are very considerable nurseries of young trees for sale. Two gentlemen of this village have young plantations for use; and I have applications, since your letter, for information, for seeds, &c. on the mistaken idea that I know something about the matter. Finally, it may be useful to know that a Mr. Loomis, of the "Seneca Castle," in this town, an early settler and a revolutionary soldier, has a noble avenue planted with white mulberry trees, nearly fifty years old, and which will probably give seed enough in the fall to supply any supposeable demand. If other parts of the country are awake to this subject in any corresponding degree, there seems no reason to doubt but we are on the point of beginning another great branch of production, and one which will lead to important changes in trade, manufacture and consumption.

You mention that silk has been cultivated in the eastern parts of Connecticut since the year 1760, and you adduce facts to show that there is no mystery in the production; and that now, so soon as American ingenuity was applied to the subject, all mystery has disappeared from the process of reeling, also. The great difficulty with every new branch of agricultural product, is an apprehension that there is something in it requiring peculiar art and skill, and therefore that in new hands it is peculiarly liable to failure. Such opinions are often encouraged by an air of quackery in books that teach the art. I desire therefore to add a word on these points.

I did suppose (but have not time to examine) that there were scraps of history which showed that the British government, or perhaps plantation companies or proprietors, had introduced the culture of silk in this country earlier than the date you refer to. But this I know, that I have heard the whole process described by old people, when I was a child, and I think this recollection of mine must go back nearly to the peace of 1783. The important point, however, is, that as they stated, the whole process—raising, reeling, dyeing and weaving—was so very easy, that a young woman could make herself a silk gown as easily as one of linen or flannel; (cotton was not then in domestic use); and that the young women of that part of Connecticut where silk was raised, were often dressed, in those times, in silks which were, throughout, of their own manufacture. In mentioning this to Mr. Loomis, (to whom I have before referred), he confirmed the fact from his own recollection, and added that, whenever they made sewing silk, it was eagerly bought up in preference to any other. When now we consider that according to Mr. D'Homergue, the product might be doubled in amount by skilful reeling, the real cheapness of the article becomes quite astonishing. What then shall we say to the addi-

tional fact, to which you have referred in your published papers, that almost all the work may be done by hands not capable of hard labor; by women, children, persons in weak health; by female and other feeble convicts in prison? In some papers which I published in 1830, on state prisons, &c. the subject was referred to as a means of employment at Sing Sing, and as having been suggested by an intelligent assistant keeper there.

I have to-day conversed with an intelligent neighbor, who has both lately and formerly seen the mulberry cultivated in hedges, slashed down and kept so low that the leaves may be plucked by persons standing on the ground. Another of my neighbors has a small nursery, consisting wholly of young trees produced from cuttings; and from those young trees he has again given me many hundred cuttings, which I have set with a view to a nursery of my own. Allow me to close this letter by stating summarily from known facts, (though not exactly from my personal experience), the great advantages of such hedges.

1. The young mulberry sends out side and bottom shoots very beautifully.

2. The prunings of those will furnish cuttings or scions for hedges; and those hedges will furnish a considerable supply of leaves the next year, and in three or four years be as high as a man can reach. The more they are topped down, the more side shoots.

3. I am assured that a thick set hedge of mulberry will effectually turn large cattle; though I doubt whether it will, when old, be thick enough at bottom to prevent small animals from passing through it.

4. By planting hedges six or eight feet apart, and keeping them not more than six or seven feet high, I think it plain that the ground will produce vastly more leaves than could be got from large trees, set orchardwise.

5. In this way the rearing of a few worms may be begun the second year, and be most rapidly increased subsequently. I suppose, too, the leaves of these young branches must be the most juicy and tender.

6. If the hedges, when they become old, are liable to any objections whatever, new ones can be made with vast ease between the old rows, which then may be rooted up. I am, dear sir,

SAMUEL. M. HOPKINS.

BUCKEYE CELEBRATION.

The 47th anniversary of the first settlement of *Ohio* was celebrated at Cincinnati, Ohio, a few days ago. The proceedings, letters, &c. connected with the celebration have been published in a pamphlet.

The following letter from our valuable friend, *John P. Kennedy* (an invited guest), will be read with interest by many.

Baltimore, March 27th, 1835.

GENTLEMEN: I have received the letter of the committee of invitation, for your approaching state festival of the 7th of next month. I very earnestly regret that I cannot be with you. My professional engagements leave me no time for such a journey before midsummer.

It has long been my purpose, to which I have looked forward as a source of much future pleasure, to make a visit to the west, and especially to your beautiful city. I have deferred the enterprise from summer to summer, I can scarcely tell why, unless it be from some lingering remains of a feeling which was common to my boyhood, that it was well to wait until the west grew ripe, and roads grew better, and towns more populous. For we had a current prophecy then, that the west, from being the child, would become the mother of nations; and in this boyish fancy, I have waited that I might see her as a matron. Suddenly, before I was aware, the prophecy has become truth—the west that I dreamed of is no longer there—the wilderness is gone—the Indian is gone—and even the old boatmen have vanished. You have sent colonies still farther towards the setting sun—and the west is a thousand miles away. Ohio was then the chubby and blooming girl of the family, who grew too fast for her garments, in spite of all the tucks and drawing strings and broad plaits, "made to let go." But she is now in vigorous womanhood, not following in the train of civilization and refinement—but leading it, and swaying the balance of the union, by the weight of her moral and intellectual strength.

You have a noble country, gentlemen, and it is no small source of its happiness, that it occupies a station which draws upon it the kindest regards from all the other members of the confederacy. Your relations of friendship and interest are intimate with the north, and the centre. There is not a state in the circle, that has not reason to rejoice in the prosperity of Ohio.

As a Baltimorean, I feel myself subsisting under affinities with you, and am accustomed to bring into my familiar reckoning, the certainty of the most various and agreeable social relations with your people. My feeling in this matter are the general feelings of my townsmen. We have just resolved to level the Alleghanies, widen the Ohio, and abolish the mile stones, in the romantic but no longer impracticable exploit of annihilating time and space. When this is achieved, gentlemen, we shall be happy to see you and your friends, on any day when you may take a fancy to rise early, with us, at dinner in Baltimore.

I heartily wish we could get this regulated by the 7th of April, but I fear the time is too short. I will beg you, therefore, that you will allow me so far to participate in the festival, as to offer the following sentiment:

"*The states of Ohio and Maryland*—Through fire and water they will hold together: mountains shall not sunder them."

I beg to subscribe myself, very truly yours,

JOHN P. KENNEDY.

AMERICAN PORCELAIN COMPANY—PHILADELPHIA.

We learn that on the 27th of the present month books will be opened at the Exchange in this city, to receive subscriptions for stock in the American Porcelain company. We sincerely trust that the whole amount of the capital stock may be promptly taken, and are convinced by statements made to us by individuals thoroughly acquainted with the subject, that investments may be made in the stock with perfect confidence.

The factory is now, and has for a long time been in successful operation in this city, under the auspices of a wealthy and public spirited citizen, who has from the first been actuated in the matter by the noblest and most disinterested spirit, and it would be discreditable to the community, if at this late day, and with the establishment in such perfect order, it should be permitted to languish. We learn, that within a day or two, a first rate painter has arrived from the royal factory at Berlin, and has been employed by the gentleman just alluded to.

The following from Poulson of 18th inst. contains some facts upon this subject that possess interest:

"A knowledge of the existence of the factory is daily extending in the United States; orders have been received recently from Boston, Charleston, New Orleans, different parts of Virginia and Maryland, Cincinnati and various other places. The success of the factory now depends entirely on the market, as any quantity of china can be manufactured.

No effort to enlarge sales in any other part of the United States has been made—no agencies have any where been established, the quantity of stock on hand not being deemed sufficient to meet large orders. To enable the company to encourage the increasing demand, the existing stock, together with the machinery, tools and apparatus, and the proprietor's one half of a Feldspar quarry, in the state of Delaware, of the best quality, containing four acres and a half of ground, in fee simple, and his interest in a Kaolin bed in Chester county, Pennsylvania, believed to be superior to the Kaolin worked in the royal factory of Sevres, in France; for which there is an exclusive lease to take Kaolin for sixteen years and three months, from the 1st of May, 1835, and his interest, in fee simple, of a lot of blue clay in Jersey, used for making saggers; and also the factory, consisting of extensive and commodious buildings, constructed for the purpose of making porcelain, on a lot of ground at the corner of Schuylkill Sixth and Chesnut streets, being seventy feet on Chesnut street, and one hundred and fifty feet deep, with the advantage of a twenty feet court, will be submitted to the valuation of three respectable men, to be agreed upon by the company and the proprietor.

The other ingredients for making porcelain, such as flint, bones, &c. can be had almost any where.

The state of the business can be readily seen in its progression, as in the ordinary course, no debts against the factory can be outstanding.

The hands are paid weekly—the cost of bringing the materials to the factory is trifling; wood is the most expensive article, and that is paid for at the time of delivery.

The charter from the state has been granted for twenty years, and it contains all the powers necessary for the manufacturing and vending of American porcelain.

The capital is one hundred thousand dollars, in shares of one hundred dollars each, and five dollars on every share is to be paid at the time of subscribing. It is believed that the amount of capital will be sufficient to carry on the concerns of the company to any desirable extent, and that it will not be necessary to advance the whole of this sum for two or three years after the commencement of the business.

[We have not heard the result of the subscription].

FRAUDS ON THE PENSION LAWS.

From the Albany Daily Advertiser.

United States district court. United States vs. *Daniel S. Payne.* The trial of this indictment is postponed until the August term of the court.

United States vs. *Ramon Castino.* The prisoner was brought up for sentence. He was convicted on Wednesday last on an indictment for perjury in making a declaration before the court of common pleas of Saratoga county, for the purpose of obtaining a pension from the United States government. The guilt of the prisoner was established beyond doubt. In the declaration made by him, he had represented himself as born in the year 1761; that in the year 1776 he enlisted in the 10th regiment, Massachusetts line, in captain Amasa Soper's company, in colonel Marshall's regiment. He described the marchings and countermarchings of the United States troops upon the Hudson, during Burgoyne's campaign, with great minuteness—that he continued in the service of the United States until August, 1779, when he received an honorable discharge from the said captain Soper.

It was proved beyond doubt by several witnesses who had known him from his infancy, that these statements of the prisoner were false; that at the time he stated to have enlisted in the service of the United States he could not have been born, and that the representations he made regarding himself, applied to his father, who bore the same name. The prisoner had, on a previous day, been indicted for perjury, in making a supple-

mental affidavit to his declaration, and acquitted on a mere technical point; upon this indictment there was no doubt of the prisoner's guilt.

Several years ago the prisoner made a similar declaration before a court in Massachusetts; the court of that state being convinced of the falsity of the declaration, ordered the documents to be suppressed. Nothing daunted by this defeat, he continued his practices, and at last succeeded by the declaration which formed the basis of the present indictment, in obtaining upwards of $300 from the United States.

The judge (Conkling) after making the above statements, told the prisoner he had no reason to complain of his conviction. The statute on cases of this nature, authorised the infliction of a fine not exceeding $5,000, and confinement at hard labor not exceeding five years. The sentence of the court was, that he be imprisoned in the state prison at Auburn for the term of four years, and that he pay a fine of $10, and stand committed until it be paid.

The prisoner declared that he was not guilty.

LAWS OF NEW YORK.

An act to abolish public executions, passed May 9, 1835.

The people of the state of New York, represented in senate and assembly, do enact as follows:

§ 1. Whenever any person shall be condemned to suffer death for any crime of which such person shall have been convicted in any court of this state, such punishment shall be inflicted within the walls of the prison of the county in which such conviction shall have taken place, or within a yard or enclosure adjoining said prison.

§ 2. It shall be the duty of the sheriff or under sheriff of the county to be present at such execution, and to invite the presence, by at least three days previous notice, of the judges, district attorney, clerk and surrogate of said county, together with two physicians and twelve reputable citizens, to be selected by said sheriff or under sheriff; and said sheriff or under sheriff shall, at the request of the criminal, permit such minister or ministers of the gospel, not exceeding two, as said criminal shall name, and any of the immediate relatives of said criminal to attend and be present at such execution; and also such officers of the prison, deputies and constables as said sheriff or under sheriff shall deem expedient to have present, but no other persons than those herein mentioned shall be permitted to be present at such execution, nor shall any person under age be allowed to witness the same.

§ 3. The sheriff or under sheriff and judges attending such execution, shall prepare and sign officially, a certificate, setting forth the time and place thereof, and that such criminal was then and there executed, in conformity to the sentence of the court and the provisions of this act; and shall procure to said certificate the signatures of the other public officers and persons not relatives of the criminal, who witnessed such execution, and the sheriff or under sheriff shall cause such certificate to be filed in the office of the clerk of said county and a copy thereof to be published in the state paper and in one newspaper, if any, printed in said county.

§ 4. Such parts of the revised statutes and laws of this state as are inconsistent with this act, are hereby repealed.

An act in relation to bills of exchange and promissory notes. Passed April 23, 1835.

The people of the state of New York, represented in senate and assembly, do enact as follows:

§. 1. In all cases where a notice of non-acceptance of a bill of exchange, or non-payment of a bill of exchange, promissory note, or other negotiable instrument may be given by sending the same by mail, it shall be sufficient if such notice be directed to the city or town where the person sought to be charged by such notice resided at the time of drawing, making or endorsing such bill of exchange, promissory note or other negotiable instrument, unless such person, at the time of affixing his signature to such bill, note or other negotiable instrument, shall, in addition thereto, specify thereon, the post office to which he may require the notice to be addressed.

§ 2. Nothing in this act shall apply to bills of exchange, promissory notes, or other negotiable instruments made or drawn before this act takes effect.

PRESIDENTIAL CONVENTION.

On Wednesday, the 20th, after Mr. *Stevenson* had delivered his address on being called to the chair, the names of the members were called over—and committees of one from each state appointed to report rules for the government of the convention, and a list of the names of the members from the several states, Pennsylvania, having *two* setts of delegates, was "excused" from appointing a member of either committee.

The following is a roll of the convention as copied from the "Baltimore Republican," which we insert for many reasons:

MAINE.

Jabez Bradbury,	Charles Jarvis,	Samuel Veazey,
Nathaniel Clark,	Otis L. Bridges,	R. C. Johnson,
Nathaniel G. Jewet,	Horace Bridge,	Timothy J. Carter,
Joseph Badger,	Reuel Williams,	Cyrus Moore,
Amos H. Hodgman,	Amos Nourse,	Edward Williams.
Jacob Smith,	Edward L. Osgood,	

NEW HAMPSHIRE.

Trestam Shaw,	Jas. M. K. Wilkins,	Perkins Gale,
Moses F. Peaslee,	Joseph M. Harper,	John Peavy,
Joseph H. Smith,	Nathan S. Colby,	John L. Putnam,
Jeremiah Elkins,	Jacob Straw,	Jabez A. Doughlass,
Ira A. Eastman,	John H. Fuller,	Elijah Blasdell,
Chas. G. Atherton,	George S. Root,	Jared W. Williams.
Stephen Peabody,	Richard Kimball,	

MASSACHUSETTS.

Gayton P. Osgood,	James Russell,	James W. Crooks,
Josiah Dunham,	L. S. Everett,	Josiah J. Fisk,
J. L. C. Amee,	John Spurr,	Ebenezer Seaver,
Frederick Robinson,	Samuel C. Allen,	John Thornton,
Eliphalet Case,	Jonathan Allen,	Henry Crocker.
George Savery,	W. W. Thompson,	

VERMONT.

Charles Linsley,	Fred. Pettis,	A. W. Hyde,
Nathan B. Haswell,	Barnard Ketchum,	Dan'l Baldwin.
Winslow C. Watson,		

RHODE ISLAND.

James Fenner,	Nehemiah Dodge,	Charles M. Thurston,
Steph. T. Northam,	Benj. B. Thurston,	William Ennis.
Thomas S. Taylor,	Stephen Branch,	

CONNECTICUT.

James G. Bolles,	Henry L. Dekoven,	Epaphras Porter,
Jno. Cotton Smith, jr.	Sands Adams,	John C. Wheeler.

NEW YORK.

Gideon Lee,	William P. Haskin,	Bennett Bicknell,
William Baker	Peter Wendell,	Sandford C. Parker,
Singleton Mitchell,	Thomas J. Marvin,	Andrew D. W. Bruyn,
Nathan B. Morse,	John Gale,	Henry S. Randall,
Stephen Allen,	Oliver Keese,	Nathaniel Garrow,
John Targee,	Silas Wright, jr.	Cullen Foster,
M. M. Quackemboss,	Abraham Morrell,	L. Legrand Morse,
John L. Graham,	Fred. P. Bellinger,	William H. Bull,
John Hunter,	Alex. B. Johnson,	Simeon B. Jewett,
James Hooker,	Daniel W. Cole,	Simeon Cummings,
David M. Westcott,	Daniel Wardwell,	Asa Nowlen,
James C. Curtiss,	John H. Prentiss,	Benj. Chamberlain,
Edw. P. Livingston,	Daniel S. Dickinson,	Pierre A. Barker,
William C. Bouck,	John C. Clark,	Abraham Cantine.

NEW JERSEY.

Edwin R. V. Wright,	John Young,	Daniel B. Ryall,
George Cassedy,	Chas. J. Ibrie,	Thos. Arrow Smith,
Wm. P. Rathbone,	Robt. H. Kannedy,	John W. Mickle,
Prudden Alling,	Joseph Justice,	Sam'l B. Wippinco,
E. E. Boudinet,	Benj. F. Vancleve,	Joseph C. Collins,
John Travers,	William Howell,	Edward Martin,
Thos. D. James,	Jeremiah Van Dyke,	Joshua P. Browning,
Seth Baydue,	Martin Agneu,	John H. Richardson,
J. T. Thompson,	James S. Manners,	Stacy Lloyd,
Richard Kidney,	Peter J. Clarke,	Rich'd P. Thompson,
Edward C. Mayo,	Isaac G. Farlee,	Thomas A. Sterrett,
Andrew B. Pierson,	Aaron Van Syckel,	Thomas Whitaker,
Daniel Smith,	Matw. Vanderveer,	Gideon G. Westcott,
William Munro,	Richard Coxe,	William D. Barrett,
Edward Condict,	William McKnight,	Thomas Lee,
David N. Bogart,	William Corke,	William Love,
Elbert Slothoff,	E. B. Cannon,	Samuel Harris,
James W. Todd,	William Word,	John M. Tufts,
Joseph Northup, jr.	G. W. Tucker,	Robert M. Watson,
Robert P. Bell,	Budd J. Shinn,	Joseph Pugh,
Wm. R. Winnars,	James H. Sterling,	Charles Swing,
David Ryerson,	Peter Garrard,	Job Ridgaway,
Pierson Heard,	Daniel Holmes,	Edwin A. Stevens,
Phineas B. Kennedy,	Jas. M. Hartshone,	Solomon L. Chester.
Peter W. Blair,		

PENNSYLVANIA.

George Kremer,	Wm. F. Packer,	Richard Broadhead,
Jesse R. Burden,	William Seawright,	Edward B. Hubley,
Richard Peltz,	Thomas Ringland,	Thos. Ross,
John Miles,	Charles Nace,	John Ritter,
Alex. E. Dougherty,	David S. Hassinger,	Ovid F. Johnson,
Geo. F. Goodman,	Saml. C. Stambaugh,	Nathan Nathans,
Benj. Champneys,	George B. Howell,	Henry Smyser,
Edward F. Evans,	Thomas Feran,	Zephanian Herbert,
John L. Pearson,	Benj. Powell,	Jesse Miller,
John B. Sterigere,	Edward B. Mixsell,	Andrew Beaumont,
William F. Swift,	John Galbraith,	Wm. A. Petrikin,
Nathanl. B. Eldred,	Henry Horn,	Charles Chandler,
Henry W. Smith,	John F. Stump,	Jos. M. Piolett,
Herman Alricks,	Frederick Stoever,	Henry H. Fore,
Wm. S. Ramsay,	Wm. J. Leiper,	Henry W. Beeson,
Miller Horton,	Wm. H. Smith,	John Bradfield,
Robert T. Stewart,	George G. Leiper,	H. G. Rogers,
Benjamin Patton, jr.	Thos. S. Bell,	John Irwin,
John Bredin,	Henry Rogers,	Joel B. Curtis,
John Mathews,	Joel K. Mann,	F. S. V. Hamet.

DELAWARE.

John Gordon,	N. G. Williamson,	Abel Harris,
W. Hemphill Jones,	John E. Ward,	Saml. Paynter,
George Read,	Wm. T. Smith,	Thos. Robinson, jr.
James Gardner,	Benjn. Potter,	Nathaniel Wolfe.
Wm. Kennedy,	Jacob Raymond,	

MARYLAND.

John J. Williams,	Jabez Travers,	Thomas White,
Joseph Hutcheson,	George F. Mason,	Edw'd Lloyd,
Thomas Williams,	Wm. Roach,	Nicholas Martin,
Wm. D. Fassett,	Dr. Wm. Jackson,	John Batty,
Dr. C. Humphreys,	Matt'w Hardcastle,	Charles Jump,
Col. Robt. Stewart,	Thos. A. Edmonson,	Robt. T. Keene,

hrasly,	Jno. M. Wyse,	Dr. Wm. Gwinn,
Baily,	Jno. Ensor, of Geo.	Brook Baker,
Langston,	Wm. Bosle, of John,	John Thomas,
Roberts,	Walter Worthington	Wm. Shaw,
Oldson,	Joseph Bosley,	John Wickham,
Spencer,	J. T. H. Worthington,	J. Harbaugh, of Chn.
Wilson,	Dr. John Orick,	Joseph Wood,
Stevens,	Joseph Walker,	Adam Custard,
Larimore,	Wm. Anderson,	Wm H Dangerfield,
ssm,	Dixon Stansbury,	Jacob Firor,
Lassey,	A. B. Anderson,	Wm. Wertenbaker.
H. Horsey,	Walter Perdue,	Geo. Smith, of Geo.
Wickes,	Davis B Powell,	Israel Ramsburg,
M. Forman,	Daul. Fitzhue,	Robert Wason,
rans,	Tobias E. Stansbury,	David E. Price,
ump,	E. T. J. Woodward,	Geo. Feidt,
Thomas,	Wm. C. Weatherby,	Jonathan Nesdit,
S. Sewell,	Stephen Grimes,	Joseph Holman,
D. Maulsby,	Nicholas Gatch,	Andrew Rench,
Forwood,	Isaac Hoshall,	N. V. Robinson,
obinson,	James McCulley,	Saml. Deitrich,
s Hope,	Henry Kidd,	Ely Cartle,
Price,	Jacob M. Housher,	Owen Barnes,
tansbury,	John Wilhelm,	David Brookheart,
nders,	Geo. Cooke,	Jonathan Shofer,
Stuart,	C. Hammond,	John Wilmer, sen.
cKim,	Wesley Linthicum,	Frederick Fishack,
Myers,	Edward Alexander,	John R. Key,
S. Heath,	Thos. Lindedale,	Fred. Humrickhouse,
Wight,	Abner Linthicum,	M. N. Falls,
Grafton,	Jno. L. Moore,	Dr. J. Berry,
rick,	Thos. Snowdon,	Daniel Blocher,
Krebs,	Richard Higgins,	J. Mabury,
ball, sen.	Richard I. Crabb,	Wm. Van Buskirk,
llicott,	Jonathan Pinkney,	Dr. Wash. Duvall,
Deshon,	Geo. W. Ent,	Jn. T. Viers,
Martin,	Wm. M. Beall,	John Griffith,
Welsh,	M. E. Bartgis,	James Anderson,
Herbert,	John Kingie,	Lloyd Dorsey,
ugh Ely,	Henry Keeke,	Alexander Keech,
mes B. Price,	John Sifford,	Zedock W. McKnew
m. Crooks,	Jacob Row,	John B. Brooke,
Calehoun,	Abdiel Unkefer,	Henry A. Callis,
Beaver,	Henry Boteler, sen.	Thos. S. Hardy,
Shilling,	John Harritt,	Thos. Wood,
Farming,	Geo. P. Fox,	W. H. J. Mitchell,
Houck,	Daniel Kemp,	James A. Waters,
Hoover,	Basil Root,	Dr. William Queen,
s Shriver,	Benedict Boone,	Dr. Jno. T. Mitchell,
Sater,	Madison Nelson,	John R. Thompson,
Shower,	Edward Shriver	Dr. Jas. W. Roach,
Jenkins,	Ezra Houck,	Robert. Sewel,
Kirk,	Nicholas Holtz,	A. Thompson,
e Shenly,	Roderick Dorsey,	Dr. Walter Briscoe,
Frisby,	John Fisher,	R. H. Miles.

VIRGINIA.

er Coles,	Peter V. Daniel,	N. C. Whitehead,
Maury,	Wm. B. Randolph,	J. F. Taliaferro,
rrett,	Ro. Butler,	G. Jordan,
Harrison,	J. Holliman,	D. H. Branch,
Brockenbo-	M. Crumper,	B R. Collier,
rr, [rough,	J. B. Wager,	Hiram Haines,
wson,	J. Morgan,	M. R. Murray,
Garland,	B. Davenport,	N. E. Venable,
Ellis,	R. Gregory,	J. S. Williams,
rber,	A. Hawes,	M. B. Frockenborough
dges,	S. Downing,	T. R. Barns,
dges,	W. S. T. Mason,	N. Taylor,
ennid,	William A. Wright,	J. D. Williamson,
n Austin,	Charles G. Layton,	Wm. Karson,
ghtfoot,	William Eubank,	Ro. G. Grayson,
Taliaferro,	Wm. B. Mitchell,	J. S. Clarke,
Dennis,	William L. White,	J. Hargrave,
Gordon,	H. Clagett,	J. Goodnim,
ckner,	C. M. Chichester,	C. L. Stevenson,
Nall,	D. Cockerill,	W. Holloday,
all,	C. Douglass,	F. W. Taliaferro,
Woodson,	J. T. W. Heaton,	A. H. Bernard,
Mason,	J. Shutt,	Chas. Mason,
Fountleroy,	H. Goodwin,	T. W. S. Gregory,
Strange,	S. Booton,	R. T. Hubard,
rswell,	Richard H. Baptist,	W. P. Mosely,
Wood,	Robert Park,	T. G. Banks,
cCormick,	J. Sherrard,	F. H. Muschett,
Wall,	N. H. Ogden,	A. G. Plummer,
rker,	G. H. Foushee,	William B. Davis,
C. Catlett,	W. B. Hudnall,	James T. Shadwick,
S. Watkins,	S. Blackwell,	Joseph Palmer,
ssley,	L. Neville,	John Williams,
ew Stevenson,	J. M. Smith,	Archd. M. Harrison,

NORTH CAROLINA.

rt Strange,	Philo White,	Daniel Turner,
n. M. Saunders,	James Rainey,	John H. Wheeler,
s D. Wilson,	John D. Hoke,	John J. Lockhart,
J. Cowan,	Henry Fitts,	Alfred M. Slade,
h O. Watson,	Henry Blount,	Wm. P. Ferrand.

GEORGIA.

R. Stanford,	William C. Lyman,	William D. Martin.

KENTUCKY.

Joseph Holt,	G. Wall,	John Pratt,
E. F. Nutall,	S. Penn,	L. D. Payne,
T. J. Pew,	J. H. Taylor,	J. R. Desha,
C. Van Buskirk,	J. W. Tyler,	J. S. Hitt.
E. Wagley,		

OHIO.

Wm. Kennon,	George House,	John W. Warden,
James B. Cameron,	Wm. Loofburrow,	Robert T. Lytle,
Wm. Concklin,	Jno. Lugenbeel,	Jonathan T. Tod.
Elijah Vance,	Daniel Sifford,	Charles M. Aten,
David S. Davis,	George Sharp,	William Dunbar,
Samuel Medary,	Geo. H. Flood,	R. T. Anderson.

INDIANA.

Samuel Milroy,	John Cain,	Marinus Willett,
Daniel Reid,	Livingston Dunlap,	N. Jackson,
John Spencer,	Thomas B. Brown,	John B. DuBois.
Alex. F. Morrison,	Jesse Jackson,	

TENNESSEE.*

Edward Rucker.

MISSISSIPPI.

John B. Nevitt, Samuel A. Cartwright.

MISSOURI.

Franklin Cannon, Nathan Ranney.

MICHIGAN.

Andrew Mack, Thomas C. Sheldon.

LOUISIANA.

Martin Gordon, sen. B. Z. Canonge, Gilbert Leonard.

ARKANSAS.

Judge Eskridge.

The convention then adjourned, to meet again to morrow morning at 9 o'clock.

Thursday morning, May 21, 9 o'clock.

The convention assembled.

Mr. *Saunders*, of N. C. from the committee appointed yesterday, to prepare rules and regulations for the government of the convention, made a report in part accompanied by the following resolutions, which were severally adopted unanimously.

1. Resolved, That six vice presidents be appointed to aid the president of this convention in the discharge of his duties.

2. Resolved, That four secretaries be appointed to record the proceedings of the convention.

3. Resolved, That the rules of order adopted by the house of representatives, of the United States, for its government be adopted for the government of this convention, so far as the circumstances may be applicable.

In pursuance of the first of the foregoing resolutions the following gentlemen were nominated and severally elected vice presidents of the convention unanimously.

James Fenner, of Rhode Island, 1st vice president.
Edward Condict, of New Jersey, 2d do. do.
Upton S. Heath, of Maryland, 3d do. do.
Robert Strange, of N. Carolina, 4th do. do.
John B. Nevitt, of Mississippi, 5th do. do.
Franklin Cannon, of Missouri, 6th do. do.

In pursuance of the second resolution, the following gentlemen were unanimously appointed secretaries of the convention:—

Charles G. Atherton, of New Hampshire.
John Cotton Smith, Jr. of Connecticut.
George H. Flood, of Ohio.
Thomas B. Brown, of Indiana.

The convention being organized,

Mr. *Graham*, from the committee appointed yesterday for the reception of delegates, made a report, accompanied by certain resolutions. The report and list of delegates having been read, before any action was taken thereon,

The *president* informed the convention that a more commodious room had been provided for its accommodation, and that the first Presbyterian church had been procured for that purpose. On motion the convention then took a recess for one hour and a half till 12 o'clock.

12 o'clock.

The convention assembled pursuant to adjournment.

Mr. *Saunders* from the committee appointed to prepare rules and regulations for the government of the convention, completed his report, by submitting the following additional resolutions:

4. Resolved, That in taking the vote for the nomination of president and vice president, a majority of the delegation from each state shall designate the member or members who shall give the vote of the state.

5. Resolved, That the delegates from each state in this convention be entitled to as many votes in selecting suitable persons for the offices of president and vice president, as such state is entitled to in the electoral college for the choice of the officers by law, and that two-thirds of the whole number of votes given be required for a nomination, and all questions connected therewith.

Mr. *Saunders* supported the two-thirds because that it would have a more imposing effect; but Mr. *Allen*, of Mass. declared in favor of majority as being according to democratic principles, &c.

Mr. *P. V. Daniel*, of Virginia, made a few remarks in favor of the original resolution, and

*This state was not named as having had a representative in the *original* list of names.

Mr. *Allen* briefly rejoined.

The question was then taken, and Messrs. *Saunders* of N. Carolina, and *Horn* of Pennsylvania, having been appointed tellers, there appeared ayes 231—noes 210, so the amendment was agreed to, and the resolution as amended—was adopted.

Mr. *Saunders* begged leave to add a word or two further in explanation in reply to the gentleman's notion about being governed by the usages of the republican party, that in the convention which assembled at Baltimore three years ago, and which nominated a distinguished individual for the office of vice president, a resolution was adopted not only in the form but be believed in the precise words of the one under consideration. Still if the difficulty contemplated by the gentleman from Massachusetts should arise, it would be competent at any time for a majority of the convention to reconsider their vote and change the resolution. Mr. S. hoped therefore that the resolution as reported from the committee would be at once adopted.

[The two thirds principle was probably intended to affect the nomination of vice president—and to keep out Mr. R. M. Johnson; many being willing, as we understand, to make no nomination rather than accept of him.]

6. Resolved, That the candidates for president and vice president, shall be designated severally; the candidate for president first, by the ballot or ballots of the person or persons selected to give the votes of the respective states, without nomination in convention, and that if a choice is not made upon the first ballotting, the respective delegations, shall retire and prepare for a second ballot, and continue this mode of voting until a selection is made.—Agreed to.

7. Resolved, That a committee of five delegates be appointed by the president to draft an address to the people of the United States, or resolutions, to be submitted to the convention or both as the committee shall think most advisable.—Agreed to.

8. Resolved, That it be recommended to this convention that its proceedings be opened each day with prayer, and that the reverend clergy of Baltimore, be requested to discharge that duty.—Agreed to.

Mr. *Osgood*, from the committee appointed to examine the credentials of the members made a report in part. The report stated that two sets of delegates had offered from the state of Pennsylvania, and that the committee not feeling themselves authorised to act definitively, had reported the names of both delegations: in the course of their inquiries they had found that one delegate appeared from the territory of Arkansas, and two from that of Michigan, and the committee had reported a resolution to admit them to seats in the convention with the same power as delegates from those territories in congress.

A lengthy discussion ensued on the proposition relative to the Pennsylvania delegation, in which Mr. Bell, of Pennsylvania, Mr. Osgood, of Mass. Mr. Kremer, of Penn. Mr. Miles, of Penn. Mr. Horn, of Penn. Mr. Branch, of R. I. Mr. Burden, of Penn. Mr. Mann, of Penn. Mr. Nathans, of Penn. Mr. Steriger, of Penn. participated

Before any question was taken on the proposition or any of the amendments, the convention took a recess till 4 o'clock.

4 o'clock.

[Certain further proceedings relative to the delegations from Pennsylvania, being before the convention—were disposed of by the previous question.]

The resolution as submitted by the committee was then adopted.

It was then moved that on all questions to be decided by the convention, the vote shall be taken by states instead of per capita, if it be desired, by any one state, each state to be entitled to a number of votes equal to their presidential electors, which was adopted.

Mr. *Harper*, of New Hampshire, gave notice that on the assembling of the convention to-morrow morning, he should move for going into a vote for president and vice president.

[A communication was received and read from Illinois, signed by Isaac Wyatt, Abner Flack, James Turney, John Calhoun and John York Sawyer, saying that they had been appointed delegates, but could not attend, and recommending that Mr. Van Buren and Mr. Johnson, should be nominated as president and vice president of the United States.]

It was moved that the communication be laid upon the table, and be printed in the journal of the proceedings, which was adopted. The convention then adjourned.

Friday, May 22.

The convention assembled at 9 o'clock.

Prayer by the rev. Mr. Clark.

Some discussion here took place, upon a suggestion by Mr. *Daniel*, of Virginia.

The convention took a recess until 12 o'clock.

At the time appointed the convention again met.

Mr. *Osgood*, of Mass. moved that the second resolution reported by the committee to report the names of delegates to the convention, be now taken up, which was carried, and the resolution adopted.

At the request of Mr. *Strange*, it was moved that the resolution providing that a majority be sufficient to constitute a choice, be reconsidered, which was carried.

The previous question was called for by Mr. *Lindsley*. The Indiana delegation demanded that the vote be taken by states according to their number of votes. It was decided that the *main question be put.*

The main question was carried in the affirmative.

On motion of Mr. *Ranney*, it was resolved that the convention proceed to vote for president.

Two sets of votes were given by Pennsylvania, both for Martin Van Buren.

On counting the ballots, the vote was as follows:

	Martin Van Buren.
Maine,	10
New Hampshire,	7
Massachusetts,	14
Vermont,	7
Rhode Island,	4
Connecticut,	8
New York,	42
New Jersey,	8
Delaware,	3
Pennsylvania,	30
Maryland,	10
Virginia,	23
North Carolina,	15
Georgia,	11
Tennessee,	15
Kentucky,	15
Ohio,	21
Indiana,	9
Mississippi,	4
Louisiana,	5
Missouri,	4
	265

The result was accordingly announced from the chair.

It was moved that the vote of Pennsylvania, presented by the honorable *George Kremer*, be considered the only legitimate vote of that state, which was rejected, and on motion it was

Resolved, That the vote of Pennsylvania be considered as presented by the united delegation.

On motion, Resolved, That this convention now proceed to ballot for a candidate for vice president.

Upon counting the ballots, the result appeared as follows:

	Johnson.	*Rives.*
Maine		10
New Hampshire	7	
Vermont	7	
Massachusetts	4	10
Connecticut	8	
Rhode Island	4	
New York	42	
New Jersey		8
Delaware	3	
Pennsylvania	30	
Maryland		10
Virginia		23
North Carolina		15
Georgia		11
Tennessee	15	
Kentucky	15	
Ohio	21	
Indiana	9	
Mississippi	4	
Louisiana	5	
Missouri	4	
	178	87

The convention then took a recess until 6 o'clock.

6 o'clock, P. M.

The convention met pursuant to adjournment.

A resolution was offered by the delegates from Michigan, expressive of their approbation of the nominations, with a request that it be entered upon the journal, which was agreed to.

That the states of Maine, Massachusetts, New Jersey, Maryland and Georgia, all acceeded to the nomination of Richard M. Johnson for the vice presidency, and pledged themselves to use their best endeavors to secure the election of the ticket by the people.

The convention at 9 o'clock adjourned *sine die.*

—

The foregoing, except the parts within brackets, is from the official statement contained in the "Baltimore Republican." It is a *short* report as to other proceedings had in the convention, and many things are not noticed at all.

When the motion was made for the appointment of a committee, consisting of a member from the delegation of each state, to draft resolutions, and regulate the future proceedings of the meeting.

Mr. *Horn*, of Pennsylvania, stated that there were two sets of delegates from Pennsylvania, and that it would be impracticable for them to meet together to select a member of the grand committee. A proposition was then offered to have each delegation appoint a member of the committee. One of the Pennsylvania delegates objected to this. He said that it would virtually acknowledge the right of both delegations to a seat in the convention. He wished one or the other set of delegates to be rejected. The president reminded him that, so far as the organization of the convention was concerned, both delegations might act: and afterwards the claims of each be decided upon.

During the discussion of this preliminary question, motions were successively made, that the Pennsylvania delegates should

th excluded and both admitted, as constituent parts of the
aittee of twenty-four. The resolution in its original shape
however, finally adopted; and by way of getting over the
alty, for the present, it was, on motion, resolved that the
sylvania delegates should be *excused* from serving on this
ittee.

Pennsylvania delegations caused much difficulty—but
nvention waived its right to decide between the two, and
it quarrel was every moment expected—which was kept
by the adroitness of the presiding officer. The "Balti-
Chronicle" of the 21st says—"There appears to be a 'bro-
hatred' between the *Wolfites* and *Muhlites*, and the jea-
with which they watch each each other's movements is
ing. Yesterday *honest George Kremer* was starting up
five minutes, and whenever a '*Muhlie's*' notes were heard,
ed with indignation. *Henry Horn* gave us a blast, and
what we learn, is determined that nothing short of the re-
n of *honest George* and his delegates will satisfy him, and
's he speaks for the 'party'—honest George, on the other
insists on blowing Mr. *Horn* out of the meeting, and fa-
sly remarked, that he was an excellent *horn blower*."

parties are, indeed, very *bitter* against one another—and
was ready for "a row."

m the same paper we have the following account of the
edings of Friday—the last day of the session:

lay morning—This was a day of a stormy character. As
is prayers had been offered up by the rev. Mr. *Clark*, Mr.
Daniel, of Virginia, rose and moved that the convention
recess till 12 o'clock, giving, as a reason for his motion,
e Virginia delegation had under consideration important
s not yet concluded, in relation to the nominations about
made, and that they were not yet prepared to act.

Silas Wright, jr. of New York, was in favor of the mo-
The New York delegation had not yet settled an import-
atter, necessary to be concluded before they went into a
ation. The motion was carried.

reported that this delay was occasioned by the desire to
rom Washington, in relation to the vice presidency—Mr.
Mann, of New York, having been despatched to that
r that purpose. Before 12 o'clock arrived, the orders
received, and New York, it is supposed, was instructed to
Johnson. In consequence, great excitement prevailed
the members of the convention. The Virginians foam-
d threatened to withdraw if Rives were not taken. This
ing known generally in the city, the church was crowd-
xcess, when at 12 o'clock the president took the chair.

Carturight, of Missouri, moved that the convention go
e nomination of a candidate for president of the United
. The mere proposition caused a smile among even the
ers of the convention themselves. Mr. *Strange*, of North
na, one of the vice presidents, moved that the vote of
day, requiring a majority only to constitute a nomination,
onsidered, and that two-thirds be required. He made a
ood speech in favor of it, which he might have saved
f the trouble of delivering—the matter having already
etermined by the "fuglemen."

elegate from Maine, let off some steam on the same
nd occasionally rubbed the managers so close that they
ut "order!" "order!" but in vain—he was not to be put
by any man or set of men, and challenged the whole con-
n to mortal combat, if they took offence at any of his re-
.

president rapped on the table, and gave a significant nod,
gallant son of Maine took his seat.

motion of Mr. *Strange* was carried in the affirmative,
vote taken for president—when MARTIN VAN BUREN,
clared to be unanimously nominated. On the result be-
nounced, the office holders cried out "good," and the ex-
s said "amen."

came the "tug of war," and the voice of the president,
so hoarse as to be scarcely audible, sunk below the
note in the gamut. The vote was taken and resulted as
:

Johnson 178, for Rives 87, as before stated.]

n the vote of New York was announced, the Virginians
most ungraciously, and the Kentuckians applauded

votes having all been given in, a delegate from Ohio
and stated that a part of that delegation had voted
a misapprehension, and that *seven* of them wanted to
Mr. Rives; but supposed that they were not at liberty
. Here was a disclosure—and consternation prevailed
meeting, when a Virginian got up and insisted that the
that state be corrected as requested. This set the
nians in motion, and perceiving that the majority were
d to take advantage of this wrong impression, the mo-
s withdrawn.

mber then rose, and moved that the vote of Massachu-
recorded unanimously in favor of Mr. Rives, as that
an had received a majority of the votes of that delega-

president stated that this could not be done, but if the
an would make a motion to withdraw the vote for cor-
he could do so; and the motion was accordingly made.
was another bone of contention thrown among them,
members were spouting all round the house. At length,
air, the motion was withdrawn. The president then
ced that Richard M. Johnson of Kentucky, was nomi-
nated for vice president, having received more than two-thirds given.

A motion was now made for a recess, and the president being about to put the motion, a gentleman from Virginia asked that it might be withdrawn; and his request being complied with, he said that he rose to perform an unpleasant duty, but one from which he could not, nor would not shrink. It was to *announce to the convention that the* VIRGINIA DELEGATION WOULD NOT SUPPORT MR. RICHARD M. JOHNSON *for the vice presidency*. They had no confidence in his principles nor his character—they had come there to support *principles*, not *men*, and they had already gone as far as possible in supporting Mr. Van Buren, and that they would not go farther, and support Mr. Johnson!

After the delegate from Virginia had sat down, (previous to which he read a resolution passed by the Virginia delegation, that they would not support Mr. Johnson), a member from Kentucky took the floor, [and warmly extolled Mr. Johnson].

After he had exhausted himself, another son of the "old dominion" got up, and observed that the speech which had just been delivered was no doubt very eloquent, and embodied fully the principles of Mr. Johnson, but Virginia was not content to take him for vice president, and would not.

A number of other persons addressed the meeting, and then, on motion, they took a recess until 6 o'clock, P. M.

The following account of the evening session is from the American:

The convention having met, a motion was made to add the president of the convention to the committee on the subject of preparing an address to the people, which was carried.

Mr. *Saunders*, of North Carolina, made some remarks designed to conciliate the feelings of the Virginia delegation, which induced a discussion in which Mr. *Lytle*, of Ohio, Mr. *Fountain*, of Virginia, and others took part.

Gen. *Saunders* stated that he was instructed to offer a resolution to the following effect: "That the several states of the union be, and they are respectfully and earnestly requested, at proper and convenient periods hereafter, by delegated conventions by the democracy, or in such other mode as they may deem expedient, to form electoral tickets throughout the country, so that the greatest possible effect may be given to the nominations made by this convention, and a resort to the house of representatives thereby avoided."

Mr. *Sterigere*, of Pa. moved to amend the resolution by adding at the end, "except such state or states as may have already formed an electoral ticket;" but the previous question being called for, the question was ordered to be taken by states, and on the result being ascertained, it appeared that 154 electoral votes were in favor of the resolution, and 77 against it. So the resolution was passed.

When the vote of Pennsylvania was called for, one of the delegations voted for and the other against the resolution, both of which votes were received.

On motion, it was resolved that the president and vice presidents of this convention be a committee to inform Martin Van Buren, and Richard M. Johnson, of their respective nominations by this body, and request their acceptance of the same, which was carried.

Resolutions of thanks were then voted to the Baltimore committee for the accommodations afforded to the convention; to the trustees of the First and Fourth Presbyterian churches for the use of those buildings; and to the rev. Mr. Clark for the obliging manner in which he officiated at the openings of the meetings.

Efforts were now made to call up the resolution relative to the dissent of Virginia from the nomination for vice president, but the convention refused to sustain the call.

Mr. *Sterigere* moved that the resolution just adopted, relative to the formation of electoral tickets by the several states, shall not be applicable to Pennsylvania. This produced a warm discussion, and the motion was lost.

Votes of thanks were offered to the president and vice presidents, which were replied to by the president, and by Messrs. Nevitte, Heath and Strange, vice presidents.

MR. BELL'S ADDRESS.

To the editor of the Nashville Republican.

Nashville, May 4, 1835.

SIR: In the Globe of the 13th and 15th of April, and in the prospectus for the publication of an extra Globe, I observed certain statements and representations reflecting upon myself, in a manner, which appears to me to require a direct notice and correction through some public medium.

Without stopping to point out the motive and object of these attacks, I proceed, at once, to answer and repel them.

As to the main charge against me, and which is, at the same time, the only one in any degree supported by facts, and the provocative to all the rest, that I have been the principal agent in getting judge White before the country for the presidency, far from seeking to deny the charge, so far as it is well founded, I can only regret that too much honor is done me by it. The notice which I shall take of this charge, in the sequel has no other object than to vindicate myself from the accompanying insinuations, that in my course, upon this subject, I have been actuated by improper motives, and that I have resorted to duplicity, and the most unjustifiable management. I hope to make it manifest, that my course has been candid towards all

parties, and that I have, in no instance, given any just ground to suspect that my motives have been other than such as are altogether worthy and proper.

Up to the month of November last, the circumstances of the late election of speaker, and my position in relation to the party, with which I have heretofore acted, after my election to the chair of the house of representatives, are supposed to furnish a sufficient clue to all the mysteries of the White movement. After that time, the bank of the United States and its interests are conjectured to have become connected with it, by an understanding between it and the persons principally concerned. Such are the real or affected views of the Globe, and of those whose interests it advocates.

Although the secondary charges insinuated in the Globe are of the most serious nature, so far as character is concerned, it is worthy of remark, that there is not a particle of positive proof adduced in support of any one of them; and most of the circumstances relied upon—slight as they are, and which it may fairly be supposed are brought forward rather as excuses for slander, than in any case to make proof of a fact—are themselves false.

The true history of the late election of speaker is but slightly known to the public. An exposition of all the circumstances attending it would answer no useful purpose now. My conduct and motives throughout are known to many gentlemen of reputation and honor, belonging to each political division of the late congress. If there was any thing improper in either, it is in the power of many to expose me. As to any arrangements or engagements of the class insinuated in the Globe, I entered into none. What arrangements were defeated by my election, no one could give a better account of, than the writer of the article in the Globe of the 15th ult. if I am not misled by the manner of it, as to its authorship. When these shall become known, then will also be known, and properly appreciated, the principle upon which I resisted them.

In one part of the nine columns of abuse heaped chiefly upon me in the Globe, the bringing out of judge White is conjectured to have been one of the stipulations which preceded the election of speaker; and the only circumstances selected and referred to, to give plausibility to the hypothesis, besides the allegation that I was supported by most of the opposition members—a fact from which every one may, and will draw whatever inference may suit his particular wishes or objects—are: 1. Mr. Wilde's letter to his constituents of Georgia, last fall, in which he recommends them to support judge White, connected with the alleged fact, which is thus stated in the Globe: "*Mr. Wilde was the candidate of the opposition for speaker, and it was the transfer of his friends to Mr. Bell, at the close of the balloting, that made the latter the third officer of the government.*" The truth is, that the specially devoted southern friends of Mr. Wilde, and whose votes, if any, he might be supposed able to transfer, ten or fifteen in number, adhered to him to the last. Besides, if I had already conceived a plan to run judge White, with a view to aid my election, it is natural that I should have made some overtures to the particular friends of judge White, my colleagues of East Tennessee. These gentlemen not only voted against me, but, between them and myself, neither the subject of my own election, nor that of judge White's running for the presidency, was ever mentioned, until the 23d of December last; nor had I any correspondence with them, at any time before, upon either of these subjects. 2. Mr. Burges' recent speech to a portion of his constituents, in which he endeavors to stimulate them with the hope that the election of the next president may be brought into the house, and that, in that way, the small states—Rhode Island being one of the smallest—may have an equal weight in his election with the largest, and that the best interests of the country may be consulted, by choosing from among the candidates, who, he supposes, may come into the house, the one best calculated to promote them. Mr. Burges also remarks in his speech, that "the friends of judge White say he is, in truth, what Jackson promised to be." These two points in the speech of Mr. Burges, delivered some time in the last month, are relied upon to show that I had stipulated the running of judge White, in my election to the speaker's chair. I cannot make the absurdity of this inference more evident than it is, in this simple statement of the facts from which it is drawn, by any thing I can add. With every disposition to assail my course, in the late election of speaker, on the part of my opponents, both at home and in Washington, I may be allowed to congratulate my friends upon the fact, that after a scrutiny of twelve months, they are able to bring no better proof of those pledges and stipulations by which I have been charged with succeeding in my election.

But in another part of the article of the 15th ult. it seems to be conjectured that the idea of running judge White occurred to me after my election, and that it was suggested by the evident tendency of such a movement, by drawing off a portion of the republican party of the *south*, to strengthen my prospects for a re-election to the chair.

It was this evident tendency of the nomination of judge White, says the writer in the Globe, to subserve my policy, "*that produced the suspicion*" that I was at the bottom of a caucus held in this place last summer, by the members of the late convention, assembled for the purpose of revising the state constitution. A circumstantial description of this caucus and its proceedings is given in the Globe. It is said to have been held about the middle of August, *and while the president was at the Hermitage*. After the members had convened, the venerable Willie Blount was called to the chair, and a proposition was regularly made "*to nominate judge White, in opposition to the candidate of the proposed general convention of republican delegates for the whole union, to be assembled at Baltimore.*" The argument is stated, which it is said, became the sentiment of the meeting, and defeated the nomination. This story of a Nashville caucus, gravely and circumstantially told as it is, the public may hear, with some surprise, is a fiction throughout. I have made the most diligent inquiry among those persons living in Nashville, who would be most likely to have a knowledge of the meeting, if any such ever took place, and I can find no trace of any such meeting of the members of that body. I believe none was ever held. I am sure I never heard of any such, until I saw the account of it in the Globe. The sum of all I can learn connected with the matter, as stated in the Globe, is, that near the close of the convention, and after the president's visit to Nashville, and of course after his interview with ex-governor Blount, a member consulted the latter upon the propriety of nominating judge White, and he objected to the measure. At that time, there was no caucus, no meeting for the purpose of nominating judge White. Though the members generally were favorable to the project, it was dropped, because by some it was still regarded as premature; and by a few others, as improper at any time. Yet the writer in the Globe states, that I denied to one of my personal friends that I had any "*agency in getting up the caucus at Nashville for judge White, in opposition to the national convention,*" and the form of the denial here quoted, is marked as a quotation in the Globe. It is clearly a fabrication. I could not have spoken of a caucus of which I had never heard, and which, in truth, never had an existence. I could only have denied that I was at the bottom of the movement at the close of the convention, when the subject was merely agitated in private conversations between the members. It was invented to give plausibility to a wanton and false insinuation, known to be such to the writer, or to his informant, or to both. From the form of the denial, as quoted in the Globe, it is intended to be inferred, that I regarded the proposed nomination of judge White as objectionable, on the ground that it was "in opposition to the national convention;" and by connecting this denial, in a form invented for that purpose, with my letter to col. Johnson, in which it is said, I advised him to oppose a national convention, and with my letter to the hon. C. P. White, in which, in speaking of the next election to the presidency, I used the following language: "*As yet, Tennessee has taken no active, decided course in this question, but the sagacious politicians amongst us are going in for Van Buren,*" a charge of inconsistency and a want of candor, is attempted to be made out. If, in communicating this denial, the gentleman alluded to as my personal friend, meant to convey the idea that I would not support judge White, in opposition to the nominee of the national convention, he communicated what he knew not to be true. To him and to all others who have approached me upon this subject, at any time, I have uniformly and unequivocally declared, that my course, should judge White be a candidate, would be, what it is now. What was the exact tenor of my letter to col. Johnson, I cannot state, I have no objection to the publication of it; and I am confident there is nothing in it which I would wish to recall. I kept no copy of it. It was not intended to be made public, and may have been carelessly written. I was at least so much obliged to col. Johnson, as to give him, when desired, my sincere opinion of his own particular prospects; and I will venture the assertion, that whatever may be the real matter of the letter, it will appear to have been written in the true spirit of friendship, with exclusive reference not only to his own prospects, but to his repose. It is said that the course which it advised would be ruinous to "*the colonel, and the cause.*" If the cause alluded to is the *cause* of the country, it is matter of opinion as to what course would best advance it. It is said, that I advised the colonel to oppose the national convention. If I did, I was consistent; but I question if I sought to involve the colonel in any course contrary to his own feelings. It is very probable that I gave it as my opinion, as things then stood, that he would not be nominated for the vice presidency; for that was my opinion. But I must have referred it to his own feelings, and to his better knowledge of his position, whether he would, on that account, oppose a national convention. The extract of a letter to Mr. White, of New York, contains the exact truth, in relation to the state of things, in this state, at the time. The fall elections were not over, and those who merely looked to the strong side, thinking that the contest would be between Mr. Van Buren and some member of the opposition, were declaring themselves as I stated to Mr. White. It was warning enough to a friend of Mr. Van Buren in New York, and a Jackson man too, that this state could not be relied upon to support him as of course, to say, that as yet it had taken no stand upon the question; and at that time, however great the probability, there was no such certainty that judge White would be nominated, as to require me, in a letter on private business, to allude to his prospects.

I must now do myself the justice to speak of some things which are not alluded to in the Globe, and which, but for the combined and continued efforts which are making to misrepresent my course, I would not have made public.

As early as December, 1833, so great was the disinclination of the people of this state to Mr. Van Buren, and so great their respect for the character of judge White, that it was with some

difficulty a nomination of the latter to the next presidency, by the members of the legislature then in session, could be prevented. It was, however, not made, upon the ground that it was feared, that so early a nomination might injure judge White's prospects, and at the same time endanger the ascendency of the party of the administration. I was fully advised of this feeling at the time, though I had not the slightest agency in the attempt to get up the nomination. I have letters now in my possession, written at that time, giving full details of the state of public feeling, indicated through the members of the legislature. If the files of the private cabinets at Washington were searched, there would, I have no doubt, be found ample corroborative statements upon this point. The movement in the late state convention has already been noticed, and it must be well known at Washington, that a gentleman of this state, of some figure in the country, took much credit to himself for having suppressed the nomination. Yet, the writer in the Globe of the 15th of April has the assurance to affirm, that the proceedings of the Tennessee delegation, last winter, in relation to judge White, were the result of political disaffection, and unsupported by public opinion. It is barely possible that this movement in the Tennessee legislature in 1833, failed to come to the knowledge of Mr. Van Buren's friends generally, in Washington. I advised some of them of it myself; and before the late speaker's election, I took occasion to inform a leading, and, in every way, one of the most respectable friends of that gentleman, at New York, of the real state of things in Tennessee; and also to express to him my determination not to separate myself from my own state. This I did, and so expressly stated to that gentleman, that no misapprehension might prevail, in any quarter, as to the course I would pursue in the contingency alluded to. And I then said to him, that so far as there might be a disposition to consult political interests, I could not, and did not, expect the votes of the friends of Mr. Van Buren, should they find that they could conciliate a more certain interest by voting against me. I had previously declared my views upon the same subject in another quarter, to which I will not further allude. Upon my return home in the summer, I found that a general expectation had been excited among my friends, that extraordinary means would be resorted to, to defeat me at the next election in my district. Unusual pains had been taken to misrepresent me, and to inflame the minds of my constituents against me. A newspaper, published in Columbia, the residence of my colleague, (col. Polk), was then, and had been for some time, carrying on a ferocious warfare against my feelings and character; and, at the same time, its columns were filled with well-written articles, setting forth judge White's pretensions to the presidency, and advocating his election against all competitors. This I did then, and do yet believe, to have been a concerted scheme between my opponents in this state, to identify their hostility to me with the popularity of judge White; but in this I may do injustice to those who then conducted that press. I feel warranted, however, in the statement, that those who were most active in assailing me through that press, supposed that they were giving the ascendency to the best friends of judge White and weakening their rivals. Many of my friends to whom I spoke at the time, of the course of that paper, or rather of the policy of those who shaped its course in relation to me, will now see how well I understood that movement. The truth was, I had foreseen, from the beginning of 1833, what would probably be the course of this state, and had made up my mind not to oppose its nomination; yet, I had determined not to take an active part in bringing it about, unless I should see that a reasonable prospect was presented of doing something more than dividing the party. It was also at the same period, while the president was at the Hermitage, and my opponents in this state were engaged, as they now are, in a disreputable attempt to connect me with the United States bank, that I was repeatedly applied to, by more than one respectable friend of Mr. Van Buren, and who were also my personal, and up to that time, my political friends, and entreated by all the considerations of private friendship, to pledge myself to support Mr. Van Buren. I was flattered with the assurance, that I would, in that event, have no opposition to my election in my district. But I positively declined giving any such pledge, and reaffirmed my determination to support judge White, should he be run; and the only assurance I could give, was, that as long as I could foresee no other result than a mere division of the party, likely to grow out of a movement of that kind, I might be expected to take no part in it. With my friends generally, my views upon this subject were no secret. It happens that there are two most respectable gentlemen of this state, who are, at the same time, the friends of Mr. Van Buren, who know these facts. It was at the same period, when I was thus explicit and decided in the expression of my views to those who had a right to know them, and who did not receive them as a secret, that the circumstances quoted in the Globe transpired, by uniting some fiction to a forced construction of which, the writer in that paper endeavors to make out the charge of inconsistency and a want of candor against me. At the commencement of the late session of congress, so far was I from urging the bringing out of judge White, regardless of the results of such a step, that I declared, uniformly, to those with whom I had any conversation on the subject, that, so far as I was concerned, I would not give the least countenance to the measure, although I knew the disposition to run him by the people of my own state was very great, unless I should become well satisfied that the contest would finally settle down between him and Mr. Van Buren. There must have been some twenty-five or thirty gentlemen of the opposition who conversed with me upon this subject, in the early part of the session, and among them, many of those who supported me for the chair. Not one of them ever heard a different sentiment from me; and, surely, if I had been under any previous engagement to run a candidate merely to divide the party, and bring the election into the house, my conduct last winter would have provoked a disclosure. I did believe, shortly after the session commenced, that no candidate of the opposition would be even nominated by any state. I am yet of opinion that the contest will be between judge White and Mr. Van Buren.

Such was the nature and the extent of the support I gave to the project of running judge White, up to the 23d of December last. It was on that day that the meeting of the Tennessee delegation was held, which the writer of the article in the Globe of the 15th of April, charges was got up by me, in compliance with a covenant previously entered into with the opposition, to bring judge White "*into the arena to defeat the nominee contemplated by the national convention of the democracy, and bring the election into the house.*" I have already stated my course up to the time of this meeting; now for the part I had in getting it up. Up to that day, I had never had the slightest intercourse or communication with either of my four East Tennessee colleagues, upon the subject of bringing out judge White. I had heard it said in general terms, that all my colleagues were in favor of running judge White for the presidency. It was in this state of non-intercourse with the greater portion of my own colleagues, that I was met by one of them, and asked if I would attend a meeting of the delegation on that evening, (December 23), to consult, whether it was proper to take any, and what steps, in support of judge White for the presidency. I, at first, hesitated as to the course I should take, simply upon the ground, that it might be deemed unbecoming in a speaker of the house to be taking so active a part in the party politics of the day; but I said finally that I might be expected to attend. This was the first intimation I had of the meeting. I neither advised it, nor was consulted as to the propriety of it; nor was any one of my particular friends of the delegation, as they afterwards informed me, consulted until that morning. I did not think such a meeting necessary, though perhaps some good has grown out of it. The letter afterwards addressed to judge White was not a direct result of this meeting. The propriety or necessity of such a course was not mentioned at the meeting. I did not advise the writing of the letter to judge White, but approved it when it was mentioned to me; and it was at my instance, I believe, that it was not made public until information reached Washington of the passage of the Alabama resolutions, which I confidently expected would pass from the time I heard the subject had been moved in that body. I will only state, as to what took place at the meeting, that I was perfectly satisfied, on that evening, that all the Tennessee delegation were of one mind upon the subject of the meeting, and that was, that it was both proper and expedient to support judge White, convention or no convention. There were three of the delegation absent, besides col. Crockett. Their absence was accounted for, and their willingness to unite with their colleagues in supporting judge White was satisfactorily and fully vouched for by those present, who had always been their particular friends and supporters, both at home and in congress. When those who know how, and by whom this meeting was got up, shall think proper to speak, it will appear, that so far from being the author of it, I was sought to be made a victim by it. And though I would not have thought it improper to have been the adviser of such a meeting, (with the possible exception above stated), yet I desire the truth to be thrown before the public, that the unparalleled disingeniousness and effrontery of those who have concerted these attacks in the Globe upon me, may be exposed, as they deserve.

The support which I have given judge White since it was known that he would permit his name to be used, has been, I hope, as free from exception, as my previous course has been shown to be.

But the United States bank is alleged to be a party concerned in bringing out judge White; and I am supposed to have been the agent most deeply concerned in effecting the arrangement, by which a recharter of that institution is to be brought about. And what are the circumstances upon which I am charged with the last degree of profligacy? Why, it is said, "that it is reported that I was indebted" to the amount of $53,000 to the bank in 1832. If such were the fact, when it is known that I voted against the bill to recharter the bank, which passed the two houses of congress in that year; and when it is also known that I voted to sustain the president in his course in relation to the removal of the deposites in 1834, I submit, whether I ought not rather to have credit for my virtue and independence, than vituperation and abuse. The bank, it would seem, should be the complainant, if there is just ground of complaint any where. Aware of the difficulty which lay in the way of creating any suspicion of my integrity, by the loan alleged to have been granted to me in 1832, the true spirit of calumny is exhibited in the additional statement, that I am "*reported to have obtained from the bank, in the spring of* 1834, *a loan of* $40,000, *and to have drawn into this vortex three or four members of the Tennessee delegation.*" The course of the Globe in making this statement, as it is intended to affect others as well as myself, I may be allowed to say is infamous; there not being the slightest foundation whatever for such a report. I have not

the slightest reason to believe that any one of those gentlemen, my colleagues, who are alluded to, borrowed one cent from the bank in 1834; nor do I believe that either of them owes the bank one cent at this time. But fearing that this reported loan would turn out never to have been obtained, and that I might still escape my pursuers, in a prospectus for the publication of an extra Globe, recently issued and circulated from the Globe office in Washington, it is boldly stated as a fact, that I have been "*recently placed under peculiar obligations to the present bank.*" This statement is also without the slightest foundation in truth; and yet, with something like government sanction and authority, as it issues from the reputed organ of the administration, it has already been so industriously circulated, that it may be said, without much exaggeration, it will find its way into the hands of every man who can read in the twenty-four states of the union. My answer and denial cannot be expected to be read by scarcely one out of a thousand of those who will see the statement in the Globe. This is a triumph which government patronage and influence may always achieve over an individual citizen; but, in proportion to this superiority in the power to do injustice, ought a press so supported, it appears to me, to be scrupulous and guarded in its statements reflecting upon the character of a citizen. But, when a party press of such authority and means shall thus enforce this species of moral proscription, I know of no engine of power, in any government, more terrible in its nature and consequences. The institution and perpetuation of such a system of party coercion and vengeance, may God, in mercy to this country, avert! I do not now owe the bank, nor have I at any time heretofore owed it a sum deserving notice for its amount, or beyond my ability to discharge, at any time my honor and independence as a public servant or private citizen might require me to do so. The amount in which I am stated by the Globe to have been indebted to the bank in 1832, is more than four-fold greater than any amount I owed the bank at any one time in that year, and, very nearly in the same proportion, greater than any amount in which I have been indebted to it at any one time since its establishment, including any transactions I have had with any of its offices, and including also the whole amount that I have at any time been, or will be compelled to pay, as the surety of other persons for debts due to the bank. And it has been chiefly to take up the paper, or to pay the debts of others, that I have at any time received any accommodation from the bank. I have never received any accommodation or loan from the bank in the name of any other person. My name will often appear upon the books of the bank, as a party to large amounts of paper discounted by it; but in every such instance it will be found, upon examination, that my name has been used for the convenience and accommodation of others only; and in general, the paper thus discounted has consisted of drafts, or bills of exchange, drawn in the usual way of business, upon some mercantile house of undoubted credit, with this exception, that in every case now in my recollection, the drawee's written promise to accept was first filed with the bank, so that the paper so discounted has been doubly secured in the first instance. It was in this way that the amount of my liabilities, (not debts, as stated in the Globe), to the branch bank in this place, in 1832, reported by the committee of the senate, came to be $53,000. Upon forty odd thousand dollars of the paper making this amount, I was endorser only. Thirty-two thousand dollars of it consisted of bills drawn upon a single house in New Orleans, whose written promise to accept was filed with the bank, and the whole amount of which was paid at the maturity of the bills. The balance was made up of notes which were either paid in that or the succeeding year. My name was endorsed upon this paper under a general power of attorney, and it so happened that the bills and notes for this large amount, upon which I was endorser, in that year, were discounted, and actually paid, without my being at all privy to the transactions; nor did I know any thing of them until my arrival at home, since the last session of congress. When I saw the first statement in the Globe, in which allusion is made to this part of the report of the committee of the senate, not having examined the report, I was unable to account to my friends for the appearance of so large an amount of liabilities in that year, otherwise than by supposing that it was made up of repeated renewals of a much smaller amount of paper.

But another circumstance of suspicion is thus stated in the Globe: "In the month of November, shortly before the meeting of congress, judge White and family visited Philadelphia. They stayed at the house of Mr. Jaudon, cashier of the bank, the son-in law of judge White. Speaker Bell repaired to Philadelphia at the same time." * * * "It was at this time, we strongly suspect, that matters were arranged for future operations." If the writer of the article in which this statement is made, had only heard who travelled on with me from Baltimore to Philadelphia, besides judge White, and where I lodged in the city, and whom I saw upon my return, he doubtless would have written a more effective article. I arrived in Baltimore late one evening, after a travel of upwards of fifteen hundred miles by land and water, performed within the preceding twenty days, and happened to stop at the same house at which judge White and family, who had been travelling on a different route, had just taken lodgings. We travelled together to Philadelphia the next day, arriving there near the close of it. I remained that night, and having transacted the business which took me there, (and it had no connexion with a bank of any kind), in the morning of the next day, I left on the same day at 12 o'clock, M. I saw four persons in the city of my acquaintance, three of whom I had long known as partisans of the present administration, and the other of no politics that I know, and none of them connected in any way with the bank. I would not have known Mr. Jaudon, had I met him; I was introduced to that gentleman for the first time near the close of the late session of congress, and I have never seen him except in company. Between him and myself there never has been any communication upon the subject of the bank. I am compelled also to admit, that notwithstanding the prominence which it suits the views of some just now to give me, since the subject of the removal of the deposites was under discussion in the house of representatives, session before the last, I have really not been so far honored or noticed by any particular friend of the bank, or officer, stockholder or agent of that institution, in congress or out of congress, as to be questioned in relation to my views upon the subject, or as to what my course would be in any contingency with regard to it. I am able, with perfect truth, to make another statement, which may startle some of the readers of the Globe. The bank has not been the subject of conversation or any communication whatever, that I have any recollection of, between judge White and myself, since the same period. I believe, however, that I am perfectly acquainted with the views of that upright and eminent citizen upon that subject. Yet, my knowledge is not better than that of the public generally, who have examined his past course in relation to it. I doubt not he is at the same time well acquainted with my own views upon the same subject; he having the same means of knowing my opinions that others have, and no more—whatever private conversation or intercourse of any kind, I have had with him or others upon this subject, being perfectly consistent with the course indicated by my votes and printed speech.

There is a single passage more in the article of the 15th ult. which I will notice for its absurdity, and to show how entirely blind to the plainest conclusions of reason, and how dead to every feeling of common justice, is this class of political writers and partisans. After all the ingenious sophistry displayed in torturing the few circumstances arrayed in these several articles in the Globe, which are true, and after bringing to their aid others that are entirely ficticious, in order to create some suspicion of improper conduct, the writer of the article of the 15th ult. saw that *public opinion* would, at least do me justice upon one point, but even this merit, which he is forced to admit, he seeks to disparage in the manner of stating it. In speaking of my course after my election to the chair, he makes the following statement. "He was conscious that if he did not, as *speaker*, prove himself the decided friend of the administration, that he would forfeit the support of the few republican members from New York, and other states, who had voted for him on personal considerations, and on the pledge he gave to that effect." But was not the debt due to the opposition, who, it is said, elected me? Yes; but says the writer in the Globe, you are cancelling that debt by running judge White. Very good. I tender to them my course in relation to judge White, with all my heart, and shall be most happy in this way, and while I am supporting the first principles of a free government, to requite an obligation to those members of the opposition who supported me for the chair, which I have always felt most sensibly, and which I am now highly gratified to be able to discharge in a manner perfectly consistent with that regard and strict adherence to principle, to propriety and honor, which I endeavored to make the rule of my conduct, both before and after my election to the chair, and in which, if I failed at all, it was because I misconceived their nature and obligations. But have I not been the decided friend of the administration since my election to the chair, out of the chair as well as in it? Am I not still the friend of the administration? The answer is, no, by this writer—you are supporting judge White! This is truly my sin. I am not against Jackson or his administration, but I am opposed to Mr. Van Buren! My faithful support of general Jackson and his administration, for the last six years, avails me nothing now, with the friends of Mr. Van Buren. I have no right to expect that it should. Every political movement from this time forward will, and must in the nature of politics, have relation no longer to general Jackson's administration, but to the induction and character of a new and ensuing one. Some of the friends of Mr. Van Buren may flatter themselves that they are still looking mainly to the support of general Jackson and his administration, but it is an illusion. It is not in human nature that it should be so.

It may perhaps appear to some unnecessary to notice, in the manner I have done, the attacks made upon me in the Globe; but, however harmless they may appear to this community, there are thousands in other states who may not know that I am truly the newly discovered wretch described in its columns. I cannot say that I am taken altogether by surprise by these attacks. I was faithfully forwarned before I left the city, that a bitter warfare would be waged against me both at home and at Washington. I could not know, with certainty, what grounds would be taken against me; but that I would feel the full weight of the accumulated and hoarded resentment of my opponents, I was fully advised.

I hope I may, without impropriety, upon this occasion, and in conclusion, express my great personal gratification in beholding friends multiplying around me, here in my native district, in proportion to the virulence and injustice of my opponents. I am, sir, very truly and respectfully, yours, and the public's faithful servant,

JOHN BELL.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

As they will be needed often for reference, we have inserted copies of the principal speeches, &c. delivered at the late presidential convention held in Baltimore, and added some remarks from the "Patriot." With these, we shall, probably, dismiss the subject.

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Aided by a supplement, we shall next week commence the publication of Mr. *Calhoun's* very important report on EXECUTIVE PATRONAGE, and the insertion of some selected speeches for and against the same—the whole forming one of the most interesting matters for record that we have lately published.

We have waited a season of leisure for this, and sought a time when persons would be disposed to read—having fewer subjects of excitement than just after the rising of congress. And besides, we wished to have all the speeches before us, to make the selection. The whole will occupy, perhaps, from about 20 to 25 pages, in our small type—and present a body of very valuable political matter.

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The following are the important items of the monthly statement of the United States bank, for the 1st of May, viz:

Loans on personal security	31,732,514 88	
bank stock	880,724 14	
other security	5,384,707 84	
	37,997,946 86	
Domestic bills of exchange	23,921,478 20	
		61,919,425 06
Baring, Brothers & Co.		2,384,766 40
Specie		14,385,843 42
Redemption of public debt		392,149 96
Treasurer of the United States		545,062 61
Public officers		1,046,668 61
Individual deposites		9,383,954 47
Circulation		20,347,936 88
Due from banks		2,083,737 55
Due to state banks		6,404,048 05
Notes of state banks		2,340,702 50

This shews a general increase of $1,800,000 since the 1st April—but is *less* in the amount of its loans on "personal security." The "bills" are a million *more*. It is an extraordinary state of things that the "bills" amount to three-fourths of the "loans on personal security." It gives the bank a mighty and a *prompt* command over its means, to meet an emergency. The specie is less in about two millions than in April—but is abundant.

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The New England Review of Saturday says, the branch of the United States bank, in Hartford, commences winding up its concerns this day. The call for its notes for the purpose of remittance is unabated, and they have been already sold at one per cent. premium.

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There was a fall of stocks at New York, of from 1 to 2 per cent. on the 28th ult. They have since advanced.

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Consols at London April 25, reached 92 7-8@93. A vessel with 510,000 dollars had arrived from Mexico.

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The very low rate of interest on money is evidence of the confidence that is felt in the plentifulness of means.

One million of dollars of the stock authorised to be issued to defray the expenses of supplying New York city with water from the Croton river, has been taken by Messrs. Harman, Hendricks and George Newbould, of that city, at an average rate of 12 per cent. premium. The stock is payable in 1860, and bears an interest of 5 per cent.

This is only at the rate of 4½ per cent.

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The news of the passage of the indemnity bill in the French chamber, was received in New Bedford (Mass.) with great enthusiasm, involving as it did the continuance of the fisheries, in which that town is so greatly interested. A salute of 152 guns was fired—*a gun for every vote in the majority.* All the powder in *Nantucket* was fired on the same occasion!

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Speculations go on, in *Baltimore*, at the east and west ends of the city. The following is the report of sales at *Canton*, (east end), made by auction on Saturday last, &c.

124 lots situate on various streets, were sold for	$43,340 00
1 wharf lot, 260 feet on Boston street, extending the same width 200 feet to the port warden's line, upon which the structure of a stone wharf had been commenced, and the foundations for 7 warehouses laid, was sold to H. H. Jackson, esq. of New York, conditioned that the wharf shall be completed and the 7 warehouses erected on or before the 1st day of January, 1837, for	$19,000 00
Making the whole sale	$62,340 00

The directors of the Canton company have agreed to extend Boston street, in a direct line, to Fleet street. To fill up and complete Allice Anna street from Boston to Washington street, and to pave all the principal streets west of Patterson's wharf, within two years.

The average sale of lots on Boston street, measuring 20 feet front and 60 feet deep, was $875 00.

Back tier of lots, 20 to 25 feet front, and from 60 to 100 feet deep, sold from 3 to $500 each.

The average price of lots at the above sale was over 125 per cent. above the sale made the 18th of May, 1833.

$1,000 per lot was offered at private sale for lots on Boston street after the public sale was closed, and refused.

And large estates have been sold at the west end of the city—some of as much as 35 acres, to various persons—and, as in the east end, principally to *strangers*. It is probable that these now hold more than *one hundred and fifty acres*, laid out in *building* lots, within the limits of our city, and *many hundred* without the limits—but adjoining the city.

We are thankful thus to find favor in the eyes of strangers. Our own people seem to have been insensible of the blessings that they had in possession!

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The Baltimore *American* says—

A lot of thirty-four acres, part of the McHenry estate, situated on West Baltimore street at the first mile stone, was purchased on Saturday by a capitalist from a neighboring eastern city, for fifty-two thousand dollars. Although it is a much larger price than it would have commanded two years ago, it is nevertheless a cheap purchase.

The edifice known as the *Baltimore Assembly Rooms*, was sold at auction yesterday for ten thousand dollars to B. I. Cohen, esq. The public will be gratified to learn that it is intended to retain the building for the purpose for which it was originally designed, and that it will undergo material repairs and improvements in order the better to adapt it to this object.

The mill property of Messrs. S. and J. E. Carey was also sold at auction for the sum of $20,700. The purchaser was C. Keller, esq.

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The splendid ship *Ann McKim* arrived at Baltimore a day or two since, in *sixty-five days* from Valparaiso. The famous schooner Yellott, owned also by Mr. McKim, once made the voyage in sixty-two.

In a subsequent page will be found an awful account of an earthquake in Chili; and, says the Chronicle, we learn by an officer in the ship Ann McKim, arrived at this port on Wednesday last from Valparaiso, that a few days previous to her sailing, an American vessel arrived there from the Island of Juan Fernandez, bringing information of an earthquake having destroyed the town on that island. The town was situated in a valley, and on the first alarm the inhabitants fled to the mountains. The sea at first receded from the island, and then returned, overflowed the town, and in its return swept away the houses which

had been previously prostrated, leaving on the site an immense mass of black mud.

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We find in the Washington papers, the subjoined pair of paragraphs:

In addition to an apology for such delinquency, they owe us an indemnity at least to cover the damages of the protested bill, and if they are honest, will pay it without a word said, or demurring a moment. [*Globe.*

What unblushing impudence and profligacy! Plain open roguery! Claiming of France an indemnity for the damage on the protested bill, and denying to the party holding the bill, and in whose hands it was protested, any right to claim damages! We doubt if a similar instance of impudent roguery can be found in the annals of any country. [*Telegraph.*

But the *Globe*, of subsequent date, thus corrects its *error!*

"We do not pretend to say, nor have we ever intimated, that France is bound to pay the sum purloined by the managers of the bank, under pretence of penal damages, *on the protested bill*, according to the local laws."

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The *Richmond Enquirer* of the 2d inst. introduces a long article on the "Baltimore Convention," thus—

We concur with most of the leading sentiments in the following communication from one of the most respectable delegates of the late convention. For ourselves, we shall go for Martin Van Buren, as president of the U. States—but not for Richard M. Johnson, as vice president. With all our respect for this gentleman, we cannot support him for that office. But we earnestly recommend it to our correspondents, to avoid all illiberal and irritating discussion upon the subject. Let us "*extenuate* nothing" of the services of col. Johnson, and, above all, "let us not set down a word in *malice*." We recommend the same caution to our republican brethern elsewhere. Passion, impetuosity, violence, may essentially injure our cause. A little discretion may save us from the arts of our enemies at home, and the dissentions of our friends at Baltimore.

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The *Chambersburgh Repository* says—

On Monday last, the day of regimental training in this place, the public witnessed one of those queer things denominated a *fantastical parade*. It was composed principally of quite young men, a majority of whom are minors, but who notwithstanding, had things so arranged as to appear in very ridiculous plight. It seemed that all the old clothes of the town had been collected, and patched with cloth of various colors, and stuffed or stretched. To this was added every sort of ludicrous head dress imaginable, with stumps of brooms, and all other kind of strange equipments for arms; the music was corresponding, and an old stove pipe was hauled on a dray by a mule for artillery. Blind, worn out and deformed horses were procured for the officers to ride. The whole furnished one of the most laughable sights we have ever beheld. Officers and men with the odd assortment of names on their roll, including their dress and accoutrements, were enough to make the lookers on believe that they were inhabitants of another planet, or had just emerged from Pluto's smoky dominions.

So much for a fantastical parade, and the useless militia system which excites such indignation as is always evinced when men are trained apparently for no other purpose but to make them weary.

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It is computed that about 80,000 persons left *Buffalo*, (by water) for the west, in the last year—1834. Is this number one-fourth of the whole amount that reached "the west?" We think not! What will it be in the present year—during which it is probable that 50,000 foreigners will proceed to "the west?"

Cleaveland, Ohio, on Lake Erie, promises to be a great metropolis on the western waters. In the course of last year, there were built there 130 new houses. There are 4,200 inhabitants, besides 1,000 in Brooklyn, on the opposite bank of the river. During the past year, the entries at this port in steamboats, schooners and sloops, was 260,000 tonnage. Of the arrivals, 891 were schooners and sloops, and of these last, 129 by the Welland canal, around the Niagara falls. The number of steamboat arrivals was 875.

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The *Buffalo Whig* says—

We learn, from our forwarders, that more property has left this port, for various destinations beyond Detroit; in other words, "for the upper lakes," in the last *nineteen days*, than was shipped, for the like destination, during the whole navigable season of the past year! So much for the growth of the great west, and the connexion of Buffalo therewith.

—

Three years ago the number of inhabitants in Chicago was fifty-four—now it is four thousand, including about thirty merchants. Five churches have been erected, of various sizes, and for various denominations. A steamboat communication, twice a week, is established with Buffalo, and by sloops and schooners, flour is transported from one place to the other at a freight of 25 cents per barrel. Water lots 45 feet deep by 200, have been sold at from two to seven thousand dollars. So much for the enterprise of freemen.

—

The "*Richmond Whig*," speaking of a general meeting of the stockholders of the James river and Kanawha company, well remarks—

"Virginia has already remained idle too long, and suffered her sister states of the north to distance her in the march of improvement. The rapid strides which, by means of enterprises of this nature, they are making towards wealth and consequent power, are a daily reproach to her tardy movements, and loudly admonish her to delay no longer, lest the vantage ground which she once occupied shall be lost beyond recovery."

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We extract from the "Post," the following remarks in reference to the improvements now in progress in Cincinnati:

"The following are among the improvements now in progress, or under engagement, in this city. First, and in our estimation by far of the greatest importance, are eight elegant SCHOOL HOUSES, each forty feet front by nearly seventy deep—all three stories high, including the granite basement; each story to contain two large school rooms, and each house ornamented with a lofty and handsome cupola, furnished with a bell; they will, when complete, constitute the pride and greatest ornament of our city. They are built from the state funds for the use of the public schools. There are one or two churches—two splendid banking houses—ten or a dozen warehouses, some of extraordinary size, for the pork trade—about one hundred and thirty dwellings—and though last, not least, a large and spacious county jail, which has long been much wanted. This is more than double the quantity ever before engaged thus early in the season, even in our most prosperous days, and much more than there are hands to execute. If hands can be had to do the work, there will not be less than four hundred houses put up the present year. Several master builders have informed us that they are in want of twenty or thirty hands each, and that *five hundred* hands more than there are, would find profitable employment. Similar complaints of the want of hands are made by almost all classes of mechanics and manufacturers, although not to as great an extent as among the builders, Property has risen—is rising—and will continue to rise.

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The Kanawha (Virginia) Banner states that the large body of land in that part of Virginia, lately sold in London in 91 parcels—some of them as high as $12 an acre—would be no enviable speculation if any man were to take the whole for the mere taxes, low as the taxes are on lands in Virginia.

—

A very large number of persons, (nearly 1,000 are on the books of the society), are waiting an opportunity to pass over to Africa, under charge of the colonization society, which is making great efforts for their accommodation.

—

We learn that the subscriptions to the anti-slavery meeting in Boston last week amounted to about $6,000. In New York, $14,000. Total, $20,000.

It is stated that the anti-slavery society had been refused admission into *Faneuil Hall*, Boston, by the mayor and aldermen of that city.

—

A correspondent of the "National Intelligeneer," in the state of Alabama, promises to give us a concise exposition of the manner in which the late *Creek treaty* has been executed. The Creek nation, he says, presents "a scene at which humanity may well weep; a scene as disreputable to the government, and those who administer it, as it is utterly unjust and oppressive upon the ignorant and confiding Indian."

We always feel distressed when we think of the state of the Indians. All our *talk* about civilizing them, &c. has been idle and deceptious—and posterity will be compelled to confess that their fathers—said that which was not true!

—

A heavy operator in stocks in the New York market, an Israelite, is said to deposite half a million of dollars per day in the bank where he does his business. [*Albany Adv.*

—

There was an awful fire at New York, breaking out a little before 12 o'clock in the night of the 28th ult. It nearly swept the whole square bounded by Barclay,

Greenwich, Robinson and Washington streets, many of the houses having "*brick fronts*," and others being entirely of wood. The loss was heavy—not less than 80,000 dollars. The firemen made great efforts to arrest the progress of the flames.

—

The following remarks upon the "strike" of the coal heavers, by the editor of the Philadelphia Gazette, are extremely just and appropriate:

The strike. The Schuylkill front of this city has worn for several days a singular aspect. The hum of business is hushed; the coal yards are deserted and shut; and every kind of business is completely at a stand. The coal heavers have determined that ten hours work per day is as much as comports with their comfort and dignity, and have therefore decreed that no one shall work longer. They have struck. To this there would be no objection, if they did not compel others also to strike. If they can afford to live in idleness, it is perfectly right that they should leave their labor; but they have no right to constrain others to follow their example. About three hundred of these men have handed to prevent all business on the Schuylkill until their demands are complied with. They paraded the streets commanded by a man with a drawn sword in his hand, and have threatened every man with death who dares to lift a piece of coal. All labor is suspended. Even the hands in the canal boats are not permitted to unlade their own boats. There are seventy five vessels in the river waiting for freights, but the coal heavers will not allow them to be loaded. The hands in the vessels dare not attempt to load, lest their vessels should be scuttled. Some vessels have left the river without a freight. One man who attempted to work was assailed by the laborers and beaten most cruelly. His head was laid open with a stone and he was otherwise so injured that his life was considered in danger. The mayor has been out several times to the scene of disturbance, and has endeavored, but in vain, to persuade them to resume their labor. We learn that the employers, indignant at this outrageous, illegal and insolent conduct, have determined at once to engage hands elsewhere at an advanced price. This is as it should be. If this attempt at coercion should prove now successful, there will be no bounds to their demands, no limits to their violence and insolence. It is supposed that the measures adopted by the proprietors of the yards will at once restore matters to their proper footing, and it is confidently expected that business will be vigorously recommenced to-day or to-morrow.

It will be well for our authorities to station a sufficient force on the spot to protect the well-disposed laborers from the violence of the rioters, and to show them that in this country the law alone is supreme, and must be respected and observed.

It seems that these *strikes* are rapidly multiplying. The New York Daily Advertiser contains the following:

Strikes are all the fashion. The stone cutters not only stand out for two dollars a day, which the employers are willing to pay, but they are determined to regulate piece work also. Public sentiment appears to be decided that the journeymen are in the wrong.

Next comes the horse shoers, who are parading the streets with drum and fife for a stand out. Very few Americans are to be seen in their ranks.

It is an excellent time for journeymen stone cutters and horse shoers to come to the city from the country.

—

At a meeting of *merchants* on the Schuylkill, at the Exchange, on the 26th ult. it was

Resolved, That we pledge ourselves not to employ laborers to work by the day, on the Schuylkill, unless they will agree to work from sunrise to sunset, with an allowance of one hour to breakfast and one hour to dinner, until the 1st of June; and from and after that date, one hour for breakfast and two hours for dinner, until the 1st of September; and that we will not give exceeding one dollar per day for laborers.

And at an adjourned meeting, held this day, it was further

Resolved, That the offer made to the laborers on the Schuylkill, by the resolution passed yesterday, of allowing them two hours at dinner, from and after the 1st of June, is considered by the meeting as just and liberal; and that unless the terms offered be accepted by the laborers, and they return to duty, at the respective yards, by to-morrow morning, then and in that case, that all hands heretofore employed by us shall be discharged, and not again employed by either of us.

Resolved, That we pledge ourselves, to the utmost extent, to protect those laborers in their persons and property from assault or violence, who do return to their work to-morrow morning, on the terms offered to them.

Resolved, That the resolution of the 26th inst. and the above proceedings be published in handbills, and circulated on the Schuylkill, this afternoon, subscribed with the names of all the trade.

Blight Wallace & Co.
John White, president Delaware coal company.
Jacob Serril,
A. J. Bolton & Co.
Neligh, Bull & Co.
Johnson & Franklin,
George C. Hale,
Smith & Boulden,
Charles Humphreys & Co.
West, Hodgson & Co.
S. S. Williams,
J. W. Downing,
G. B. Claxton,
Alfred Lawton,
Bonsall & Rivoudt,
T. M. Bryan, president North American company,
B. H. Springer,
S. L. Bradford, secretary and treasurer Little Schuylkill rail road and navigation Co.
J. Blackston,
J. S. Silver,
Samuel B. Reeve & Co.
Joshua Bunting & Co.
J. S. Keen,
Conrad Grove.

Philadelphia, May 27, 1835.

☞All combinations are wrong—but if on the one part, they must be on the other. The leaders of these "strikes" are chiefly freshly imported *foreigners*—who despise and defy the law. They must be taught better. A person may, or may not, work, just as he pleases—but cannot be permitted, by violence, to prevent others from working. *That* is taking rather too great a liberty—even in this "free country!"

The ring-leaders had been arrested and held to bail, in 500 dollars each. There appears to have been a great deal of rioting, and no small degree of excitement. The merchants were found every man at his post—and will succeed, if they they have not already. It is believed that the loss to the community is not less than $2,000 per day, including the detention of a large fleet of vessels.

The *United States Gazette* says—Meetings were held yesterday by journeymen tradesmen—the carpenters in Independence Square, and the cordwainers at the Military Hall. The latter subsequently marched through the streets to the sound of drum and fife. We understand that the object of the strike is to coerce the master workmen into their estimation of the number of working hours which shall be computed to a day—they say 10 hours.

[We should like to know the number of those who are "*anti-tariff*," or "*free trade*" men! To regulate *time* and *price* is rather "tough," in those opposed to *all* "monopolies."]

—

We notice the following advertisement in the Norfolk Herald of the 25th ult:—

"*Post office, Old Point Comfort.*

"The postmaster general desires that public notice be given to the citizens of Old Point Comfort, of the expected vacancy in that post office, that they may have a voice in recommending a person for appointment. [*May* 25—3t"

[This *is* a "reform," that we shall be glad to see carried out. The post-office should have nothing to do with politics.]

—

From "Willams' New York Register"—

Newspapers printed in the state 260—more or less in each of the 56 counties, excepting two only—in New York city 65, exclusive of periodicals—total number of large newspaper sheets issued daily in the city of New York 17,000.

Value of manufactures in the state near 26 millions—cotton, wool, iron, &c.

Canals contemplated 270 miles, in addition to the 600 miles completed and in operation.

Total products brought down the canals, last season, to tide water fourteen millions dollars!—wheat, flour, lumber, &c.

Capital in new rail road companies chartered, 35 millions.

Bank capital near 35 millions. Number of banks 90.

—

There is great demand for the consumption of madder in manufactures. The New York Cultivator recommends its culture to farmers. It is dug from the ground once in three years, and may be as easily cultivated as potatoes. Land that will yield 50 bushels of corn to the acre will produce 2,000 lbs. of madder. The cost of raising, washing, drying, grinding, seed, rent of land, &c. will not exceed 7 cents per pound, and the wholesale price of the American article for three years has been 23 cents. The best time to purchase seed is in the fall. It has been cultivated with success in some counties in the state of New York, and according to the foregoing estimate must be a very profitable crop.

—

Andrew Gregg, a leading politician of Pennsylvania in his day, lately died at Bellefont, aged 80 years. Also, *Lucius Horatio Stockton*, of New Jersey.

—

The Boston Evening Mercantile Journal has the following:

"Edward Everett's address, delivered at Lexington, on the 19th April, 1835, will be published to morrow by William W. Wheldon, Charlestown—and for sale at the bookstores. It is a glorious production, and should be read attentively by every American."

We can easily believe this!

sive policy which restored to the people the right of choosing their representatives, and which provided for the emancipation of all persons held in slavery in his majesty's colonies and possessions abroad, will, with the same enlarged views, place without delay our municipal corporations under vigilant popular control, remove all the well founded grievances of the Protestant dissenters, and correct those abuses in the church which impair its efficiency in England, disturb the peace of society in Ireland, and lower the character of the establishment in both countries.

With respect to the municipal corporations, the report of the commissioners, which has since appeared, has abundantly confirmed the opinion of the house of commons. It is clearly proved by experience, that self-elected corporations tend to violations of trust, perversions of justice, the abuse of charitable funds, political jobbing, and the injury of the communities for whose benefit they were established. The true remedy for these evils, in my opinion, was to adapt the principle of free election, known to our ancient laws and established in the reform act, to our municipal corporations. In this principle lord Stanley and all the members of lord Grey's ministry cordially concurred. The late ministry, on the other hand, confined themselves to a vague declaration of their willingness to consider the report, and reform abuses.

We likewise declared that we desired to remove all the well-founded grievances of the Protestant dissenters. In conformity with this declaration I voted for an address to the crown, praying for the grant of a charter to the London University, where the conscientious dissenter might obtain the literary honors which at Oxford and Cambridge are exclusively confined to those who declare themselves members of the church of England.

With respect to the marriages of dissenters sir R. Peel has introduced a bill founded on a liberal and just principle; but I fear that if it were to pass in its present shape, Protestant dissenters would still feel that the line drawn between them and the members of the church tended to lower them in public estimation. Some alterations in the bill may, perhaps remedy this defect, but the establishment of a civil register of births, deaths, and marriages, would afford the best and truest solution for all the difficulties of this subject.

In regard to church rates, the agitation on religious subjects of which these rates are the constant occasion, makes it in every way desirable to abolish an impost which is at once a grievance to dissenters, and an injury to the church.

With respect to the church of England, sir Robert Peel did not hesitate clearly to declare his intention to correct its acknowledged abuses. The opinion which I declared to you in 1832, that the revenues of the church of England were not too large, but that they ought to be more equitably distributed, seems no longer to be disputed. The application of this principle must be regulated by caution, but not enfeebled by a lurking desire to keep alive the seeds of abuses which we profess to destroy.

With regard to the church of Ireland the case is widely different. I refused to assist in making perpetual parochial sinecures where the clergyman and his clerk, week after week, and year after year, formed the whole of the congregation. Besides the general injustice and glaring absurdity of this system, it is easily proved that the maintenance of these ecclesiastical sinecures irritates the people of Ireland, weakens the reputation of the British crown abroad, and injures the Protestant religion which it is intended to promote.

Let us add to these evils that the present system cannot be maintained except by a large military force; which in case of foreign war must of necessity be greatly augmented. Burthensome to England, sanguinary to Ireland, disturbing the peace of society, and injurious to the religion it professes to serve, no eloquence can recommend, and no talents can long maintain so vicious a policy.

In place of this system, I proposed that the surplus revenue of the establishment, after providing for the spiritual care of the members of the church, should be devoted to the education of all classes of the people, without distinction of religious persuasion. It was my object to teach the poor and industrious classes that they have some interest in the church revenue; to inspire them, by means of religious and moral education, with the love of their neighbors, and a sense of their duties to the state; finally, to open their minds to great truths, and soften their hearts towards the government which rules them. Then, indeed, might the Protestant church hope to diffuse its influence, for it would be judged by its merits and not by its exactions.

These were the chief subjects of debate, and often of essential difference between the majority of the house of commons and the late administration. On some other topics an agreement appeared, which must to many have been unexpected. It was a constant subject of reproach to lord Grey's ministry, that it did not sufficiently relieve agriculture from its burdens; and the maintenance of the malt-tax was pointed out as a glaring instance of this neglect.

Sir Robert Peel held a different opinion, and upon his declaration that his ministry would stand or fall with the malt-tax, it at once appeared that the clamor which supposed lord Grey hostile to the landed interest, and lord Althorp indifferent to the welfare of the farmer, had been a mere factious cry raised without scruple, and abandoned without shame.

Nor does it appear that had the late ministry continued in office, they intended any thing further than the relief of the land from some part of the country rate, to which lord Althorp had last year consented. The only measure actually proposed by the late ministers for the advantage of agriculture was a bill for the voluntary commutation of tithes.

I have often stated to you that I did not think such a measure would be effectual, and I fear that in those cases where tithe is most grievous, the remedy should be most imperative. To frame a measure just alike to the tithe owner and tithe payer is undoubtedly difficult, but I see as yet no reason to abandon the attempt.

Such have been the views which have guided my conduct in opposition to the late ministry. In succeeding to office I shall endeavor faithfully to carry them into effect. By so doing I am of opinion that I shall be assisting to gather from the reform act its legitimate fruits.

As one of those most deeply engaged in framing, proposing and carrying that great measure I am bound to declare, that on the one hand I did not intend that it should be the first of a series of organic changes, each succeeding its predecessor in importance and rapidity. Even were the changes meditated useful in themselves, I am of opinion that the public mind, and the public energies, will be far better occupied in considering and urging practical improvements, than in squaring our ancient institutions to abstract theory, or suiting them to foreign example.

On the other hand, I did not intend that the reform act should be a mere toy in the hands of the people, without benefit to themselves or their posterity.

It was my wish to see the popular influence control and check the exorbitant or corrupt expenses of the state; to see our institutions renewed and purified by clearing them of their defects and restoring their original spirit; to witness the removal of all unnecessary impediments, and free thoughts, writing and action; to have the interests of all classes weighed, not by the prejudices and partial affections of those who counterfeited the people's voice, and usurped the people's inheritance, but by the legitimate representatives of that people, summoned by the sovereign to uphold that monarchy of which they are the firmest support, and to be the image of that enlightened nation whose confidence they enjoy.

I have the honor to be, gentlemen, your faithful and obliged servant, J. RUSSELL.

LORD LONDONDERRY.

There are points made in the following letter of resignation, that might be well imitated—*elsewhere*.

Copy of a letter from lord Londonderry to the duke of Wellington.

Holderness house, 3 o'clock, P. M. March 16, 1835.

My lord: When sir Robert Peel notified to me his intention of recommending me to his majesty to fill the important situation of ambassador at St. Petersburgh, and when your grace was pleased to intimate your entire acquiescence in the nomination, I felt the greatest pride that I might once more renew my humble efforts in promoting the king's service.

When your grace was further pleased to announce to me, that his imperial majesty the emperor of Russia expressed gratification and satisfaction at my sovereign's gracious appointment, I had the presumption to believe, from my long personal knowledge of many of the emperor's ministers, and from intimate friendship formed in the field when employed in the armies of Europe against the common enemy, that I might have effectually promoted the interests of both countries, and cemented the good understanding so happily existing between the two crowns.

After the discussion, however, that has taken place in the house of commons on Friday night, I think I should ill discharge my duty, both as a subject and a public servant, if I did not at once entreat your grace to lay the humble resignation of my appointment before his majesty. Deprived as I must be, from the expressions and opinions of many members of the house of commons, of that fair position under which every representative of the sovereign has hitherto undertaken the task, and neutralized in my efficiency abroad, by unjust and unfair animadversions on my public conduct at home just previous to my departure, I feel that my powers of public usefulness are impaired in the station I have been called on to fulfil, and as I could not long carry on the king's service to advantage, no consideration on earth should induce me to undertake a duty which I am deprived of the power of efficiently performing.

I feel most deeply grateful to the king's ministers for their bold and honorable declaration before parliament and the country, that they would support at all hazards this appointment. I feel, also, that I am incapable of succumbing to faction, or yielding to menaces. But I feel more powerfully than all the advantage of the public service and the necessity at such a crisis of not embarrassing the king's government. On these grounds alone, unaided by any advice, uninfluenced by any opinion, unknown to any individual, I have adopted this determined line of proceeding.

I have the honor to be, ever your grace's most obedient and obliged, and devoted humble servant,

VANE LONDONDERRY.

EUROPEAN STATISTICS.

The following statistical statements (taken from a French work by M. J. Schoen on the statistics of European civilization), which we find in a recent number of a Paris paper, the

by and unconditionally free, and are not bound to render service for any period of time whatever. The time appointed for the registration was the 1st of August, 1834. The proclamation of the marquis of Sligo admits that this is a great hardship and apparent injustice to the proprietors, inasmuch as the registration act did not extend to those islands, but the abolition act is imperative in its terms, and the law-officers of the crown have decided that it is also universal in its application. The governor recommends a patient submission to the hardship, and an application to parliament for redress; and this course the proprietors, it seems, have implicitly followed.

The *National Gazette* says—In a letter, dated November 23, 1834, from Mr. Harlan, governor of the province of Guzerath, in the kingdom of La-Hore, to his brother in Philadelphia, it is stated that the late king of Cabul, Sha Shulah Ul-Moolk, who was recently defeated on the plains of Cabul by the forces of his majesty Runjeet Sing, leaving nine thousand dead on the field, had probably regained his kingdom.

"The king of Cabul was defeated in his attempt on Kandahar, not by his enemies, but by his own panic fears. He left his army in the heat of battle, taking the precaution of previously despatching his treasures to a place of safety. At the present moment, now that the road from Kandahar to Cabul is impassable from the snow, he has again made his appearance with thirty thousand horse. The Sirdars of Kandahar and Cabul being unable to effect a junction of their forces, it is almost beyond a doubt that the ex-king will take possession of the city."

In the cathedral of Lisbon, was lately found a hidden treasure, a mass of silver coin worth £200,000.

Complimentary to Mr. Clay. We have now before us the *India Gazette* of Sept. 10, 1834, printed at Calcutta in Indostan, containing under the head of American eloquence, the speech of the honorable Henry Clay, of Ky. in the United States senate, on the president's protest. Such a notice of him in a paper on the other side of the globe, must be a high compliment to Mr. Clay. We knew that the speeches of American statesmen attracted much attention in Europe, but we were not prepared to believe, until the reception of the above paper, that any of the millions in Southern Asia, ever read, at their homes, what was said in an American congress. Who of us reads speeches delivered in India, on any subject, except what our own missionaries send home of their own doings or sayings? Verily, to be known as a statesman throughout one whole continent, is no small honor, but to be quoted some ten thousand miles off, in the way of a speech requiring hours to read it, is a high honor indeed, which even those of us who are politically opposed to Mr. Clay, must rejoice to see, as it confers distinction on our common country. [*N. Y. Cour. & Enq.*

Effects of taxation. Mr. Coke's estate consists of 50,000 acres of land, rented upon an average at 16*s.* per acre, and as the four-course system of husbandry is pursued in that country, one-fourth part of this estate, or 12,000 acres, are annually sowed with barley, and which produces, on an average, five quarters per acre, or 50,000 quarters of barley annually. Now the duty (before the last repeal) to government, on making five quarters of barley into malt and beer of both sorts, was £14 3*s.* 4*d.* so that each acre pays in direct taxes more than seventeen times the annual rent, these 10,000 acres yielding to government £141,660 while they yield to Mr. Coke only £8,000. Now the fundholders receive three-fifths of all the taxes raised, whence it follows that they derive from these 10,000 acres £84,996 8*s.* or above ten times as much as the landlord. This sum, too, be it remembered, is exempt from all direct taxation, contributes nothing to the poor, nothing to the state, the church, the army, the navy, &c. while the landlord's share is burdened with heavy expenses toward them all, and by far the greater part of it ultimately finds its way into the pockets of the same fundholders. Does not the above statement show the ruinous effects of taxation, and evince the utter and absolute incompatibility of free trade dividends, and cheap bread, with golden money.

[*Correspondence of the Birmingham Journal.*

From the above it appears, that Mr. *Coke* owns 50,000 acres of land, for which he receives £40,000 or 200,000 dollars a year, rent—and that from 10,000 acres in barley the government obtained £141,660 in excise!

Religious associations of the United States. From the anniversaries recently held in New York, we learn that the American Bible society have had the past year an accession of 14 new auxiliary societies, two of which are in Texas. Over 123,000 Bibles have been distributed during the year 1834; and over *one million* seven hundred thousand since the society was formed.

The American Home Missionary society have under their patronage 719 pastors.

New York City Sabbath School Union, has 67 schools—835 male, and 1,030 female teachers—pupils 13,308—libraries 63—number of books 21,875—infant scholars, 458. Sabbath schools of different sects, not included in the above, have 13,000 pupils, making the whole number about 25,000.

American Tract Society receipts $22,308. The American missionaries in China have been directed to make an appropriation for casting the Chinese characters in metalic types.

[*N. Y. Star.*

ITEMS.

There was cut, the past winter, from one acre of land in the Taunton and Raynham Tract, state of Maine, 227,000 feet of timber. The tract was sold within three years at the rate of two dollars per acre!

At Newark, N. J. a circular saw has been introduced for sawing *fire wood*.

Another whale ship is immediately to be fitted out at Wilmington, Del. The stock of the company is sufficient for fitting many ships.

A man named *Brailey* was lately precipitated over the Falls of Niagara! His body had not been found.

The population of the British provinces in India, according to an account recently published, amounts to 95,000,000. That such a numerical power should be held in subjection to the British crown by a force of only 40,000 men, is a strong proof of what may be effected by civilization over barbarism.

The New York Courier says—A correspondent of the New Bedford Mercury, lately took the pains to count the shipping then in that port, and found that there were at the wharves, and at Fairhaven, an appendage of that port as Brooklyn is of ours, fifty-one ships and barques, besides three brigs, all, with one exception, belonging to that port, and nearly all of them refitting for voyages. There are at this time ten or a dozen ships lying at New London, refitting also for whaling voyages.—New Bedford with its 120 sail of whaling ships; Nantucket with its 90 or 100; New London and Sagharbor with their thirty a piece, and other ports numbering ten or a dozen each, displaying a fishing marine that exceeds that of all the rest of the world, and exhibit a nursery of brave and hardy seamen, sufficient to furnish forth a naval force at any moment capable of making the stars and stripes respected in every sea, and of affording protection to our maritime rights in every quarter of the globe.

It will be seen, by the following paragraph, that among the good things done by sir Robert Peel, is the granting of a pension, among others, to the poet Montgomery:—

The only pensions granted by sir Robert Peel during his administration, excepting one of £100 per annum to the widow of Mr. Temple, late governor of Sierre Leone, are the following:—Professor Airy, £300; Mr. Southey, £300; Mrs. Somerville, £200; James Montgomery, £150; Sheron Turner, £200. This, we presume, is proof of conservative profligacy in the administration of patronage—of sir Robert Peel's disregard of literary merit, and of his desire to repress litetary exertion. But stop, the pensioners are all tories? No; the majority are whigs.

The ship Great Britain was hauled into the hydraulic dock on Tuesday. This is the largest ship that has yet been got into that dock. She measures 724 tons, is 139 feet length, 34 feet 6 inches in breadth, and 22 feet 6 inches depth of hold. After the ship was hauled into the dock, and secured, she was raised out of water in *forty-five minutes*, with the utmost ease, by the powerful cylinders now in use, which are said to be the largest ever cast in any part of the world. The above facts will show the great facilities which this establishment is capable of affording, in the way of repairing ships, and we have no doubt it will be found one of the most useful and convenient for the purpose that ever has been construeted.

[*N. Y. Adv.*

In the provinces Navarre, Biscay, Alava and Guipuscoa Don Carlos is said to have 34,100 infantry and 1,500 cavalry. More than one-half of the whole was in Navarre, on the 1st April.

The Holland Land company, says the (N. Y.) Batavia Times, disposed of four hundred and eleven thousand

DOWN THE RIVER.

Marietta, Ohio	82		$2 50
Parkersburg, Virginia	10	92	2 50
Point Pleasant, "	78	170	5 00
Gallipolis, Ohio	3	173	5 00
Guyandotte, Virginia	37	210	6 00
Portsmouth, Ohio	50	260	7 00
Maysville, Kentucky	47	307	8 00
Ripley, Ohio	13	319	9 00
Cincinnati "	46	355	10 00
Port William, mouth of Kentucky	79	434	11 00
Madison, Indiana	13	447	11 00
Westport, Kentucky	20	467	12 00
Louisville, "	20	487	12 00
Rome, Indiana	100	587	15 00
Troy, "	35	622	15 00
Yellow Banks, Kentucky	25	647	15 00
Evansville, Indiana	40	687	18 00
Henderson, Kentucky	12	699	18 00
Shawneetown, Illinois	53	752	18 00
Smithland, mouth of Cumberland	63	815	18 00
Mouth of Ohio	66	881	20 00
New Madrid, Missouri	75	956	22 00
Memphis, Tennessee	150	1,106	25 00
Helena, Arkansas territory	85	1,191	26 00
Vicksburg, Mississippi	307	1,498	30 00
Natchez, "	110	1,608	30 00
New Orleans, Louisiana	300	1,908	35 00

The above prices of passage include boarding. The prices of deck passage are about one fourth of these, the passengers finding themselves. Thus to Louisville the deck passage is $3, cabin 12; to New Orleans deck 8, cabin 35. The deck is covered and contains berths, but it is a very undesirable way of travelling. The passage to Louisville is generally performed in 2½ days, and to New Orleans in from 8 to 10; returning, nearly double this time. The ordinary speed of the boats is 12 miles an hour down the river, and 6 up.

Where large parties apply together for passage, or where emigrating families apply, a considerable reduction is often made. We will mention the case of a family from Maryland, who took passage on the 25th (ultimo), as one in point, and as furnishing emigrants with some information they may like to hear. The family consisted of 15 persons (9 adults and 6 children), 5 of whom were slaves. There were also 3 horses, a wagon, and a wagon load of baggage. They wished a passage to St. Louis, and on making application to the master of the only boat in port on their arrival here, were told that the fare would be $20 for each adult in the cabin, 6 for each deck passage, 15 for each horse (the owner finding them) and the usual rates of freight for the baggage; or, to lump the whole, $250. Rather than pay this, the head of the family preferred waiting awhile; he did so, and in three days effected a bargain for $160 for the family, embracing 6 cabin passengers (with servant), and 8 deck ditto, together with 3 horses, wagon and baggage; the deck passengers and horses to be found by the emigrant.

It may not be irrevelant to add that the family spoken of had come from a county in Maryland about 300 miles from Wheeling. They travelled about 20 miles a day with a four horse wagon. Their expenses thus far were 75 dollars; price of oats on the road 40 to 50 cents. Had they continued on by land to St. Louis, 600 miles from here, it would have cost them 100 dollars more. They would have got oats in Ohio for 20 and 25 cents, and in Indiana and Illinois for 16 and 18. It would have taken them 30 days, however; while, by water, they will reach there in seven.

WOOL GROWERS.

From the Washington (Pa.) Reporter.

As there is a general complaint as to the condition in which western wool is sent to market—as it is highly desirable that the character of the western wool should be improved; and as there has been much inquiry as to the method of preparing wool for market, it is believed the following communication will be acceptable to the wool growers.

The wool dealers and manufacturers complain most of burs. The oblong, hard bur, from ½ to ¾ of an inch in length is much the worst kind and the most difficult to extract from the wool. Those whose sheep have this or any other kind of burs in their wool, would do well to catch them all, previous to washing, examine them carefully, and cut out every bur.

This method is pursued by the best wool growers in the country when their sheep have accidentally got burs in them. The better method, however, of getting rid of burs is to keep sheep from fields where there are burs, or rather, keep the burs from the fields. This can be easily effected by pulling them up, or otherwise destroying them before they are ripe, for two or three years in succession.

They also complain that sheep are often suffered to remain too long after washing before they are shorn. Most wool growers wash their sheep too early in the season. From the 20th to the 25th of May is early enough. At this season of the year the water is generally warm; the sheep can be washed cleaner and much quicker than when the water is cool, and without injury to the sheep or persons washing them. The weather being warm and dry at this season of the year, the sheep should be shorn, within from three to five days after they are washed. When the flocks are large they should be divided, and part washed every few days, just so that they have time to dry before they are shorn.

They further complain that wool is sometimes sent to market without being thorough washed from tags.* The better plan to avoid tags, is to catch the sheep before they are put into fresh pasture in the spring and clip off the wool that would likely become filthy. This wool, thus clipped off can be washed and saved, whereas if it were permitted to remain on the sheep it would be lost. This course is universally pursued by eastern wool growers, and by many in this country. Those who have not taken this precaution would find it to their advantage to trim off the tags with a sharp knife, before washing.

Wool growers are urged to adhere strictly to the above recommendations and they may expect to obtain a fair price for their wool. It is true it will require considerable labor, especially where there are burs to contend with. Yet if it required five times as much labor, they would gain by having their wool in good condition. Many of the wool growers bring their wool to market in good condition, and would be ashamed to bring it in any other way. Those who are too negligent, or too dishonest to prepare their wool in a proper manner, may calculate on keeping or selling it at 50 per cent discount.

The following is an extract of a letter from a wool grower and wool buyer in Dutchess county, New York, shewing the method of doing up wool in that county:—

"My method of doing up fleece wool, which is considered the best method, is the following:—Spread a sheet or blanket on a large table, or something of the kind. Lay up the fleece with the outer ends of the wool up. Then compress the fleece up, about as close as when on the sheep's back. Roll the two sides up till they meet in the middle or back of the fleece. Then roll up, from each end so as to meet about the shoulder. Pass the twine about twice or three times round the fleece in good shape. Cotton twine must not be used on any account. It would injure the sale of the wool to many, at least 25 cents per pound. The twine used, should be a hard twisted, small sized twine, that will not shed the fuz."

It will be seen by the above, that instead of binding the fleeces with a band of wool from the neck, as has been customary with us, the eastern method is tying with twine. This is, no doubt, the best method, and is recommended to wool growers. It may be remarked that the twine should be about the size of a knitting needle, made of hemp or flax. The proper kind can be procured at several of the stores in this place, and will be sold with the wool at about the same rate it will cost.

It is also worthy of remark that wool can be done up neater and quicker in this way than the old method.

It has become proverbial with the manufacturers at the east, that a great portion of the western wools, contain more or less of the "cuckle burr," which is so much dreaded by them. It certainly is of vital importance both to the grower as well as the manufacturer that the cause of the complaint if practicable should be removed. In doing which different methods have been suggested. It is thought by some, that means might easily be resorted to, by which the growth of the burr may be destroyed; and by others, to catch the sheep and clip the burs from the wool before washing. It is to be presumed, however, that the grower need only to be reminded of the fact, that the sale of the article in market, in the above objectionable condition, is varied from ten to thirty per cent, to induce him to search out and adopt some course or other to remedy the evil.

From the Franklin Mercury.

Col. Shepherd, of Worcester, (formerly of Northampton) was present at the late wool growers' meeting in Shelburne, and made some statements in regard to the present state and prospects of the market, which will probably be generally interesting.

He estimated the amount of wool raised last year in the United States, at 75,000,000 pounds. There were imported during the same year three millions and a half of coarse wool, under eight cents per pound, and thirty-four thousand pounds of fine wool. In the same period, about 350,000 pounds of American were exported, leaving about 78,000,000 manufactured in this country. In addition to the above, wool was imported in the shape of manufactured cloth, to the amount of about 6,000,000 pounds. The whole amount of wool consumed then was 84,000,000 pounds.

He expressed it as his opinion that the next clip would bring as high prices as the last, for the following reasons: He had taken pains to ascertain the amount of cloth and of wool which were now in the market; and he had ascertained that the stocks of both were extremely low—much lower than they were at the same time last season. He imputed the late importation of foreign wool, not to the alleged conspiracy among the manufacturers to depress the price of native wool, but to the fact that the market was nearly bare of stock, and they were thus obliged to go abroad for it. He said that the manufacturers had done a profitable business during the last year, and the result would be a considerable extension during the next, which would correspondingly increase the demand for the raw material. During the last 12 months new machinery capable of manufacturing two millions of pounds of wool per annum, had been set up in Worcester county and its vicinity

*Some indeed have been so base as to roll up tags in the middle of the fleece purposely. It is hoped that no more will again disgrace themselves in this particular.

alone. Believing then that the demand for manufacture and consumption had been and would be rather in advance of the production, he inferred that the current prices of wool would at present be sustained. He alluded to the fact that thirty or forty thousand pounds of fine American wool had been exported during the past year. This speculation, he said, had proved a profitable one: the wool was of a long, fine staple, and was meant to be used in the manufacture of merino shawls.

Col. Shepherd stated some interesting facts in relation to the early stages of the wool manufacture in this state. His attention was first attracted to the subject in 1808, by noticing the flimsy, trashy imported stuff, the superior finish of which enabled it to drive out of the market our coarse and strong home made cloth. In 1809, he bought all the native wool which was to be found in Boston and its vicinity, with a view to use it in the manufacture of negro cloths. He gave from 33 to 42 cents per lb. for it, and it shortly afterwards rose to 50. In 1810, he procured from col. Humphreys a buck and 11 ewes from the first flock of Spanish merinoes imported into this country.

In 1818, in conjunction with the late gov. Gray, he imported Saxony bucks from Hamburg, at a cost of about $100 each. Since first starting in the business, though unfortunate in the pecuniary result of his own exertions, he had had the pleasure of seeing the wool culture and manufacture extending itself widely, striking firm root, and adding millions to the wealth of the country.

We observe by col. Shepherd's circular, that he has taken a building in Worcester for the transaction of a commission business in American wool, his charges being at the rate of two and a half per cent. on all sales.

MEETING AT BOSTON.

A vast meeting of the people was held at *Faneuil Hall*, Boston, on Thursday, the 28th ult. of the friends of Mr. WEBSTER, as president of the United States. It was the largest and most enthusiastic ever held there.

The meeting was called to order by *George Darracott*, and organized by the appointment of *John C. Gray*, as president—of *Stephen Fairbanks* and *Phineas Sprague*, as vice presidents, and of *Francis B. Crowninghield*, *William T. Eustis*, *Henry Edwards* and *Alcan Simonds*, as secretaries. The object of the meeting was then briefly stated by *Charles P. Curtis*, who offered a series of judicious and eloquent resolutions, embodying the purposes for which the nomination of DANIEL WEBSTER to the presidency was made, and the principles on which it would be sustained.

Mr. Rufus Choate and *Mr. Francis C. Gray*, addressed the meeting, and were loudly cheered—the resolutions are as follows:

Whereas the time has arrived, when it is proper, that the sense of the people of the United States should be expressed, on the subject of the election of a president—

1. *Resolved*, That we deem it our duty, and it is our fixed and resolute purpose, to give our support to a candidate for that office, whose principles we approve, in whose character we confide, of whose patriotism we have proof, and on whom we can, in any event, rely, to administer the constitution in the spirit of those who framed it; and that accordingly we entirely and cordially approve the nomination of DANIEL WEBSTER, made at a meeting of a large majority of the legislature of Massachusetts, on the 21st of January, and the general ground on which the said nomination was placed, in their resolutions and address.

2. *Resolved*, That, while the high offices of the government are justly to be viewed as the rewards of distinguished service, they are in a republican system, to be still more peculiarly considered as RESPONSIBLE TRUSTS, to be administered, with an exclusive view to the welfare of the country; and that we regard the idea, that important official stations are the mere "spoils of victory" as unworthy of freemen, discreditable to the party by which it is avowed, and dangerous to the country.

3. *Resolved*, That we consider as highly reprehensible the interference of incumbents of office to control the elections; and while we willingly concede to them the rights of individual citizens, we look upon an assemblage in mock convention of large numbers of office holders delegated by bodies of like composition—to make a pretended nomination of candidates previously agreed upon and notoriously pledged to continue the office holders in their places, as a gross abuse of the elective franchise, and an outrage on the people, whose dearest political rights are thus attempted to be bartered away.

4. *Resolved*, That the selection of candidates, by the citizens of any part of the United States, on purely sectional grounds, and the rejection of the most eminent qualifications for high office, because they are found in some other part of the country, is inconsistent with the spirit and principles of the union of these states; and that our fellow citizens of the southern states, who, out of twelve presidential terms, have ten times elected their own citizens, may reasonably be expected, at the approaching election, to give proof to the country, that they do not claim a monopoly of the government.

5. *Resolved*, That we ardently desire the return of constitutional times, that we are weary of the violence, tumult and corruption which prevail in the land, and have been raised to high places, that we are weary of continued appeals, by the highest functionaries, to the passions of the people, against the laws and constitutions, in which the liberties of the people are enshrined—that we are weary of seeing the public servants assuming to be masters—substituting their own will instead of the law, as a rule of action—and that we tremble for the permanence of our republican institutions, daily wrested from their proper end—the welfare of the country—and made the cloak of the worst abuses of the worst governments.

6. *Resolved*, That, in our sober judgment, the state of affairs has become such, that the enormous existing abuses must be remedied or pass into proscription; that it is too late to temporise with the disease of the body politic; that a great and effective reform must be accomplished, or all reform be abandoned as hopeless; that the question is now put to the people, divested of every thing addressed to the imagination; without any thing to enlist the enthusiasm for military achievement, or any pretence well or ill founded of public honors due to heroic services—but simply and plainly, whether they will have a pure, wholesome, constitutional government, administered by men selected for their qualifications, supported on principle, and freely chosen by the unbought suffrages of legal voters, or whether they will give up the polls to violence—the nomination of candidates to intrigue; the administration of the government to a self-perpetuated corporation of office holders.

7. *Resolved*, Therefore, in this condition of affairs, that it is the duty of every good citizen to take an active part for the rescue of the country; that we will support a man of our principles; that our suffrage shall be given to one who has earned it, by public services and private worth; who has penetration to perceive the causes of existing evils, and courage and energy to redress them; and especially to one, whose past life and public course contain the evidence, that he reverences, while he comprehends the constitution, and that his affections as well as his understanding, are consecrated to its defence.

8. *Resolved*, That we behold such a candidate in our fellow citizen, DANIEL WEBSTER; and that it appears to this meeting, that consistency of character, devotion to principle, and every other motive, which can influence a patriot and a freeman, conspire to make the determined, zealous and unwavering support of his nomination, a plain and indispensable duty.

9. *Resolved*, That with the warmest attachment to Mr. WEBSTER, as our friend and neighbor, and with the fullest trust in his abilities and fidelity, it is still not because he belongs to the city, the state or the general quarter of the country in which we ourselves live, that we unite in his support; that we act on public principle and for the general good, and that if there were a man, in the wide range of all the states, more constitutional in his principles, more republican in his manners, more disinterested in his political career; if there were one in regard to whom general confidence spreads wider or sinks deeper, in short, if there were any friend of the constitution and the laws, more trustworthy, he would receive from us our hearty support, in whatever section or state of the union he were found.

10. *Resolved*, That we consider DANIEL WEBSTER as eminently entitled to the character of a "citizen of the United States," distinguished above most other public men of the day, for general, impartial and comprehensive views of the interests of the whole union: thoroughly informed about them all, and honestly devoted to their advancement; and that his elevation to the highest office in the gift of the people would be felt by every good citizen at home, and admitted by the world, to be not a party triumph—but a tribute justly paid to merit; a trust reposed in hands well qualified for its discharge.

11. *Resolved*, That, above all, we regard DANIEL WEBSTER, as entitled to the confidence of the country for his unquestioned attachment to the constitution, his accurate acquaintance with its principles, and his unsurpassed ability to explain and defend them; because his principles, politics and character are completely mingled and identified with the constitution of the United States; because he is regarded at home as among the ablest of its expounders, and abroad as completely identified with that sacred charter of our liberties—a living commentary on its principles—not only deriving from it his chief distinction as a public man, but paying back the great debt, by the most eloquent, masterly and successful efforts made to uphold it, to illustrate it, and recommend it more and more to the affection of his countrymen, and the admiration of the world.

12. *Resolved*, That it is an especial recommendation of DANIEL WEBSTER to the confidence of the people, that his opinions and principles are known, open and undisguised; that the part he has taken, in the interesting questions of the several last years, has called on him to state, define and limit his opinions respecting the provisions of the constitution, till all know their character and extent; and that we regard these opinions as the true views of the constitution, equally remote from all tendency to consolidation, and all tendency to disunion; as moderate, just and practicable, and indispensable to the well-being of the happy frame of government under which we live.

13. *Resolved*, That, in the opinion of this meeting, the time has not come, when any overruling necessity calls upon the whigs to compromise their principles, or desert their own standard—that while they are not responsible for results, they are responsible, sacredly responsible, for their own consistency, their own enduring love of country, and their own fidelity to the constitution; and that whether successful or unsuccessful, whether found in majorities or minorities, a plain path of duty lies before them, from which they cannot depart, without obvious inconsistency and dereliction of principle.

14. *Resolved*, *therefore*, under the influence of these feelings and opinions, that we concur in the nomination of DANIEL WEBSTER as a candidate for the presidency of the United States,

t of the Pennsylvania delegations at all, and he indulged pe that no discussion would arise thereon. He would tplain that the committee of which he was the organ, had ntion of bringing up the discussion at that or any future f the proceedings, but had reported the names of both delegates in pursuance of the duty imposed upon it by nvention. Having performed what they considered to be ity, the whole matter was now with the convention.

Bell then moved to postpone the further consideration of olution till to-morrow.

Kremer, of Pennsylvania, expressed his regret that the feuds existing in Pennsylvania should have been brought hat assembly, but if the subject must be gone into, the the better, for he was perfectly prepared for the discus-

Bell also regretted, he said, that any circumstance should ut of the division in Pennsylvania calculated to create sement in that assembly, and he still entertained a con- lope that the matter would be arranged between the par- The object he had by moving a postponement of the sub- n that time might be afforded to the gentlemen on both r conciliation, if possible. He would add that he was at s ready to meet this question in the broadest shape, al- he still expressed a hope that it would be unnecessary ble the convention on this subject. He must insist upon tion.

Merigers, of Pennsylvania, opposed the postponement on ound that the gentlemen of neither set of delegations at state were authorised to make any bargain and that as estion must be settled by the convention, it should be omptly. The gentleman said he could think of no ar- ment that could be made; holding himself as he did, to nciple of instruction.

Miles, of Pennsylvania, said, as a member of the Penn- a delegation, elected at Harrisburgh, he could see no good that could arise out of the postponement of this for although they had been there about two days, there prospect, that he was aware of, that an amicable ar- ment would be effected. If the convention would permit art of the committee to come up, it was his intention to amendment to the resolution excepting the state of lvania, and proposing that a committee be appointed of egate from each state by the respective delegations to ose the subject and report thereon. He trusted that it not be considered that the delegation of which he had r of being a member had the slightest inclination to oc- valuable time of the convention, but the question was must be decided one way or the other, and it was more within the province of a committee to investigate it, so large an assembly as the whole convention.

ers, of Pennsylvania, said he was as fully prepared to question then as on the ensuing day, for all the cir- were strong in his recollection, and he really be- would be gained by postponing it. He thought should be met fully by the convention, unless, in of John Quincy Adams it was intended to "*dodge*" red that there was not time to enter it fully, and that of gentlemen to go home would militate against friends, and would be an inducement to prevent a , for it would probably occupy not less than three s. He appealed to his honorable colleague to with- otion for postponement.

accordingly withdrew his motion.

, of Pennsylvania, then proposed to add the follow- ment to the resolution, viz: to add thereto the fol- des "except the persons named as delegates from ia, and so far as respects such delegates, a commit- inted to inquire and report what individuals are en- admitted to represent that state in this convention, committee be composed of one person from each tion except that of Pennsylvania, to be nominated ctive delegations."

said, much as he regretted that it was deemed neces- this subject before the convention, yet if they had principle, private regrets must give way to public availed nothing on the present occasion. The an important one, not only to the republican and rty of Pennsylvania, for if so he would not have there, but it was a question of deep and vital whole national democratic party throughout the braced within its scope the question as to the consequently the success of that party. What ion? Why a convention of delegates of the se- assembled there, representing the entire re- throughout the union, and two sets of individu- those states presented themselves claiming fessing to be the representatives of the party asking to be united with the party of the roughout the union. How could there be and unity if these individuals came from f, in allusion to the eloquent and happy il- he president yesterday, each man took his he gallant ship and steered for himself, armony and union of the republican par- " illustration applicable to the case under sing the two sets of individuals purport- in the state of Pennsylvania should be equally divided on the choice of a vice president, the result would be that the vote of Pennsylvania would be lost al- together to the democratic party. He believed the appointment of a committee would lead to a settlement of the question; he could assure the convention that it was not the wish of his colleagues to interpose any delay, and whatever might be the decision of the majority, they would abide by it.

Mr. *Bell* of Pennsylvania assured the convention that him- self and those who acted with him would agree to any course the convention might see fit to adopt, and he would also add on the part of himself and his colleagues who claimed to repre- sent the Jackson party in Pennsylvania that they would shrink from no investigation. If this cup, bitter as it is, could have been cast away, he should have been glad, for the sake of this convention, of the great democratic party in the union, of which party in Pennsylvania he claimed to be a representative in that assembly. He would reiterate that if the investigation were demanded he and his honorable colleagues were ready to go into it, either then or at any other time, and before any tri- bunal whatever.

Mr. *Branch*, of Rhode Island, was opposed to the adoption of the amendment. He had no feeling whatever directly or indi- rectly, in favor of or against, either of the delegations from that respectable state, living as he did at a distance, and not having even the pleasure of a personal acquaintance with any of the gentlemen. The only object he had in view was the good of the great republican party of the union, and to endeavor as much as in him lay to produce harmony and concord in the proceedings of this assembly. Every member must sincerely regret that a division, temporary he hoped, had arisen among the great democratic party in Pennsylvania. The democracy of that state had sustained the union, and presented a solid phalanx to their opponents, and he hoped in heaven that no division would be suffered to prevail among them, but that har- mony and union will be cherished and cultivated. Permit him respectfully and with all due deference to suggest to the re- spectable delegations from that respectable state a lesson from ancient history. We have a lesson of the fall of a splendid city, once the pride and glory of the east which should be unto them a warning against division. While the Roman army was encamped under the walls of that great city, with but little prospect of success, it was ascertained that a division had arisen within the walls of the city. What that originated from we are hardly able to ascertain; he would not say that it was so small a matter as that one party was in favor of Wolf, and the other of Muhlenberg, but we do know that one party was in favor of John and the other Eleazar. While these two parties in the city were in contention, both ready to meet the common enemy, but still divided by their intestine commo- tions, the Roman army became aware of the state of things, made a successful assault upon the fortifications, and in a few short days that splendid city, the pride and glory of the east, was razed to its foundation. He feared for the democracy of Pennsylvania, but he hoped in heaven his fears would not be realized. Sir, said Mr. B. I put the question to you as a bene- volent father if two of your own family should knock at the door of your mansion for admission, what sir, would be your feelings? Would you not say, they are of my name they belong to me? Ah, but says one, although we are your children if my brother be admitted I will not enter the house, for my claim is better than his! What would the benevolent parent say? You both belong to the same family, take your seats around the family table, and if they refuse, you can then say, I have done my duty. The application must be understood by all. Again Mr. B. would repeat he trembled for the democracy of Pennsylvania, and heaven grant his fears might not be verified.

Mr. *Burden*, of Pennsylvania, did not suppose they should do much by following the advice of their friend John Quincy Adams, and "dodging" the question, for the party to which Mr. B. belonged did not understand much about "dodging." He was for following the example of president Jackson, march- ing right up to the enemy. The question with them was not about a consumption of time but whether it was the duty of that convention to settle it. He always thought it the duty of every body to decide on the qualifications of its members, and it required no argument to show that if they proceeded in ac- cordance with the rules of the house of representatives it was their duty to settle this question, and to say who were entitled to be considered the representatives of the democracy of Penn- sylvania and who not. There was no dodging this question, for, one way or the other it must and would come up. Would the convention have one set of delegates voting for one indivi- dual and the other for another! and then go home and tell the people of Pennsylvania that you came here to perform a duty, and that though you are called the "key stone" of the states, you have done nothing? It may satisfy your own minds, but it will not satisfy the people. Any attempt to cover this question will have the effect of destroying, so far as Pennsylvania was concerned, the efforts of the democratic party. It was to avoid that that he wished this matter to be settled, for he cared no- thing about governors of Pennsylvania, but he wished to secure her vote for that administration to which they belonged and which they desired to sustain.

Mr. *Mann*, of Pennsylvania, expressed his regret at the feel- ing already manifested on this subject, and hoped that private feeling would hereafter be set aside and that the public good and the success of the candidates here nominated would alone be considered. All that was asked was that the whole matter

and tender to it our decided and earnest support; that though others waver, or falter, or surrender, our purpose still is, not to despair in the cause of liberty and the country, but to meet the crisis with zeal, as well as firmness, and to adhere to what we esteem principle and duty, let who will follow or who will fly.

15. *Therefore, Resolved*, finally, by the citizens of Boston and the vicinity, in Faneuil Hall assembled, that the cause of liberty and free government, in all ages, is one, and, as our fathers, within this sacred temple, fearlessly and zealously engaged in noble warfare with the office holders of their day, and, undismayed by the numbers arrayed against them, unseduced by the bribes of power, and unawed by its terrors, boldly sounded the war cry of freedom from this hallowed spot, we, in imitation of them, pledge ourselves to the same noble cause, to struggle against abuses of the same pernicious kindred with those which awoke the spirit of 1776; to maintain the rights for which our fathers staked their lives; to vindicate that sway of the law, which was the great object of their toils and perils; that we will march with cheerful confidence and hope, beneath the banner of the constitution, with the name of its great champion in the centre of the field, well assured that if our beloved country is to conquer in the approaching struggle, it must be beneath this sign; and we call upon our friends—the friends of liberty, by whatever name they are designated, throughout the union, on all who reverence the constitution, on all who wish for a government of laws and a charter of civil rights, to descend to their children, to rise as one man, and go with us; to forget local preferences and individual partialities; to act on pure principle; to hasten to the rescue of the country, and to assign the highest trust, in the disposal of the people, to the man of whom it was declared by William Lowndes, that "the north had not his equal, nor the south his superior."

SKETCHES OF THE DEBATES,

IN THE LATE BALTIMORE CONVENTION.

From the Baltimore Republican.

The following resolution being under consideration—

Resolved, That the delegates from each state in this convention be entitled to as many votes in selecting suitable persons for the offices of president and vice president, as such state is entitled to in the electoral college for the choice of these officers by law, and that two-thirds of the whole number of votes given be required for a nomination, and all questions connected therewith.

Mr. Saunders, of N. C. remarked, that this resolution embraced two points: first, that each state should give the same number of votes in the convention to which it would be entitled in the electoral college. Upon that part of the resolution, Mr. S. said he anticipated no difference of opinion, because it was in strict accordance with the constitution and law of the United States on the same subject. The second point was, that a majority of two thirds of the whole number should be required to constitute a choice of the distinguished individuals to be selected for the offices of president and vice president of the United States. Mr. S. was directed by the committee to say, that upon the second point there existed a difference of opinion in the minds of the members or the committee; a portion thereof being of opinion that a majority only should be deemed requisite to a choice. The committee, however, had finally come to the conclusion that it would give a more imposing effect to the nomination that that nomination should be made by a majority of two-thirds of the whole convention. He was further authorised to add that the object of this proposition, of requiring two-thirds, was not only to give the nomination a more imposing effect, but also to produce greater harmony and union, and to avoid embarrassment. It was to be presumed that no one had the most remote desire to frustrate the proceedings, and provided a majority should on the first or second ballot fix upon an individual, it was reasonably to be expected that the minority would be disposed to yield, and unite with the majority, so as to produce the effect contemplated by the foregoing resolution. He trusted the convention would adopt it, and he made the motion accordingly.

Mr. Allen, of Mass, said he had the honor of being a member of the committee, but had dissented from the resolution under consideration, and had done so upon the old republican principles. He believed that the great fundamental principle of our government was that we should be governed by the will of the majority, and in an assembly like the present, composed of more intellectual power than had ever been brought together in this country since the days of the revolution, as well as of a greater number, he maintained that they ought not to introduce a principle directly, he would say, "in the face and eyes" of the constitution. It was upon this principle that he had objected. Whoever might be the candidate, if he received the votes of the majority of this convention, Mr. A. would cheerfully subscribe to it, and give him his cordial support. He again expressed a hope that this convention would not establish a principle averse to the great fundamental principles of our government, and he therefore moved to amend the resolution by inserting the word "majority" instead of "two thirds." With the purest motives in the world we might have a preference for this or that man, and it might be three weeks before a majority of two-thirds could be fixed on one man.

Mr. P. V. Daniel, of Virginia, made a few remarks in favor of the original resolution, and

Mr. Saunders begged leave to add a word or two further in *explanation in reply* to the gentleman's notion about being governed by the usages of the republican party, that in the convention which assembled at Baltimore three years ago, and which nominated a distinguished individual for the office of vice president, a resolution was adopted not only in the form but he believed in the precise words of the one under consideration. Still if the difficulty contemplated by the gentleman from Massachusetts should arise, it would be competent at any time for a majority of the convention to reconsider their vote and change the resolution. Mr. S. hoped therefore that the resolution as reported from the committee would be at once adopted.

Mr. Allen, of Massachusetts, said he had been born and bred up in what was called the federal state of Massachusetts, but he himself had been nurtured and brought up in democracy, and he regretted extremely to have heard insinuations thrown out that the vote of Massachusetts would not be given for the democracy. He did not believe it to be in the power of the opposition to prevent it, and the principle on which the victory would be insured would be the principle established by the constitution that the will of the majority must govern. He would reiterate the hope that no principle would be adopted in that convention to contravene and put a check upon it. The principle of requiring two thirds was not republican, and ought not to be adopted, and for that reason alone he hoped his motion would be sustained.

Mr. Daniel, of Va. briefly rejoined, but the distance of the reporter's desk prevented the remarks of the honorable gentleman from being heard. Mr. D. was understood to deny that the proposition of the committee contravened any democratic principle, and that its effect, if adopted, would be to exhibit to the enemies of the democracy of the country the great unanimity of the republican party, and to express the voice of the democracy with greater power and effect.

The question was then taken, and Messrs. *Saunders*, of N. Carolina, and *Horn*, of Pennsylvania, having been appointed tellers, there appeared ayes 231, noes 210, so the amendment was agreed to, and the resolution as amended—was adopted.

6. *Resolved*, That the candidates for president and vice president, shall be designated severally; the candidate for president first, by the ballot or ballots of the person or persons selected to give the votes of the respective states, without nomination in convention, and that if a choice is not made upon the first balloting, the respective delegations, shall retire and prepare for a second ballot, and continue this mode of voting until a selection is made.

Mr. Saunders briefly explained. The committee proposed in the first place, that the ballot should first and separately be taken on a choice for president, and then on that of vice president; and secondly, that any nomination in convention should be dispensed with. This course had been recommended for the purpose of preventing any violent, angry and unnecessary discussion that might otherwise arise. It was presumed that all the delegates had come there prepared to vote, and there was no necessity for discussion of any kind, which could result in no good, but on the contrary might be productive of much evil. The resolution was agreed to.

7. *Resolved*, That a committee of five delegates be appointed by the president to draft an address to the people of the United States, or resolutions, to be submitted to the convention or both as the committee shall think most advisable.

Mr. Saunders remarked that he was not aware that this resolution required any explanation. The number five was agreed upon as the most convenient and the most proper to produce expedition in the task assigned them. The resolution was unanimously adopted.

8. *Resolved*, That it be recommended to this convention that its proceedings be opened each day with prayer, and that the reverend clergy of Baltimore, be requested to discharge that duty. Agreed to.

Mr. Saunders said. The committee have now nothing further to present to the convention, and he would merely observe that this report had been made *in part* so that if any thing further should be considered requisite to present to the convention it might be in the power of the committee to do so.

Mr. Osgood, of Mass. from the committee appointed to examine the credentials of the members made a report in part. The report stated that two sets of delegates had offered from the state of Pennsylvania, and that the committee not feeling themselves authorised to act definitively, had reported the names of both delegations: in the course of their inquiries they had found that one delegate appeared from the territory of Arkansas, and two from that of Michigan, and the committee had reported a resolution to admit them to seats in the convention with the same power as delegates from those territories in congress.

The first resolution appended to said report being under consideration, which is as follows:

Resolved, That the delegates above reported as in attendance are entitled to seats in this convention.

Mr. Bell, of Pennsylvania, referring to the two sets of delegates from that state, said, as much evidence and much examination must necessarily be gone into, and as it was near the hour of adjournment, he would make the motion to adjourn, for the purpose of having an opportunity of going into the examination fully and deliberately. Mr. B. however withdrew the motion at the request of

Mr. Osgood, of Massachusetts, who desired to make a brief explanation. It was not his intention to have brought up the

subject of the Pennsylvania delegations at all, and he indulged the hope that no discussion would arise thereon. He would only explain that the committee of which he was the organ, had no intention of bringing up the discussion at that or any future stage of the proceedings, but had reported the names of both sets of delegates in pursuance of the duty imposed upon it by the convention. Having performed what they considered to be their duty, the whole matter was now with the convention.

Mr. Bell then moved to postpone the further consideration of the resolution till to-morrow.

Mr. Kremer, of Pennsylvania, expressed his regret that the private feuds existing in Pennsylvania should have been brought up in that assembly, but if the subject must be gone into, the sooner the better, for he was perfectly prepared for the discussion.

Mr. Bell also regretted, he said, that any circumstance should arise out of the division in Pennsylvania calculated to create embarrassment in that assembly, and he still entertained a confident hope that the matter would be arranged between the parties. The object he had by moving a postponement of the subject was that time might be afforded to the gentlemen on both sides for conciliation, if possible. He would add that he was at all times ready to meet this question in the broadest shape, although he still expressed a hope that it would be unnecessary to trouble the convention on this subject. He must insist upon his motion.

Mr. Sterigere, of Pennsylvania, opposed the postponement on the ground that the gentlemen of neither set of delegations from that state were authorised to make any bargain and that as the question must be settled by the convention, it should be done promptly. The gentleman said he could think of no arrangement that could be made; holding himself as he did, to the principle of instruction.

Mr. Miles, of Pennsylvania, said, as a member of the Pennsylvania delegation, elected at Harrisburgh, he could see no possible good that could arise out of the postponement of this subject, for although they had been there about two days, there was no prospect, that he was aware of, that an amicable arrangement would be effected. If the convention would permit the report of the committee to come up, it was his intention to offer an amendment to the resolution excepting the state of Pennsylvania, and proposing that a committee be appointed of one delegate from each state by the respective delegations to investigate the subject and report thereon. He trusted that it would not be considered that the delegation of which he had the honor of being a member had the slightest inclination to occupy the valuable time of the convention, but the question was one that must be decided one way or the other, and it was more peculiarly within the province of a committee to investigate it, than for so large an assembly as the whole convention.

Mr. Horn, of Pennsylvania, said he was as fully prepared to meet the question then as on the ensuing day, for all the circumstances were strong in his recollection, and he really believed nothing would be gained by postponing it. He thought the question should be met fully by the convention, unless, in the language of John Quincy Adams it was intended to "*dodge*" it. He feared that there was not time to enter it fully, and that the anxiety of gentlemen to go home would militate against him and his friends, and would be an inducement to prevent a full hearing, for it would probably occupy not less than three or four days. He appealed to his honorable colleague to withdraw his motion for postponement.

Mr. Bell accordingly withdrew his motion.

Mr. Miles, of Pennsylvania, then proposed to add the following amendment to the resolution, viz: to add thereto the following words: "except the persons named as delegates from Pennsylvania, and so far as respects such delegates, a committee be appointed to inquire and report what individuals are entitled to be admitted to represent that state in this convention, and that said committee be composed of one person from each state delegation except that of Pennsylvania, to be nominated by the respective delegations."

Mr. Miles said, much as he regretted that it was deemed necessary to bring this subject before the convention, yet if they had a regard for principle, private regrets must give way to public good. They availed nothing on the present occasion. The question was an important one, not only to the republican and democratic party of Pennsylvania, for if so he would not have raised his voice there, but it was a question of deep and vital interest to the whole national democratic party throughout the union, as it embraced within its scope the question as to the integrity and consequently the success of that party. What was the question? Why a convention of delegates of the several states was assembled there, representing the entire republican party throughout the union, and two sets of individuals from one of those states presented themselves claiming seats, and both professing to be the representatives of the party of that state, and asking to be united with the party of the same description throughout the union. How could there be said to be harmony and unity if these individuals came from different sources? If, in allusion to the eloquent and happy illustration made by the president yesterday, each man took his favorite plank from the gallant ship and steered for himself, where would be the harmony and union of the republican party? He would put one illustration applicable to the case under consideration. Supposing the two sets of individuals purporting to be delegates from the state of Pennsylvania should be equally divided on the choice of a vice president, the result would be that the vote of Pennsylvania would be lost altogether to the democratic party. He believed the appointment of a committee would lead to a settlement of the question; he could assure the convention that it was not the wish of his colleagues to interpose any delay, and whatever might be the decision of the majority, they would abide by it.

Mr. Bell of Pennsylvania assured the convention that himself and those who acted with him would agree to any course the convention might see fit to adopt, and he would also add on the part of himself and his colleagues who claimed to represent the Jackson party in Pennsylvania that they would shrink from no investigation. If this cup, bitter as it is, could have been cast away, he should have been glad, for the sake of this convention, of the great democratic party in the union, of which party in Pennsylvania he claimed to be a representative in that assembly. He would reiterate that if the investigation were demanded he and his honorable colleagues were ready to go into it, either then or at any other time, and before any tribunal whatever.

Mr. Brunch, of Rhode Island, was opposed to the adoption of the amendment. He had no feeling whatever directly or indirectly, in favor of or against, either of the delegations from that respectable state, living as he did at a distance, and not having even the pleasure of a personal acquaintance with any of the gentlemen. The only object he had in view was the good of the great republican party of the union, and to endeavor as much as in him lay to produce harmony and concord in the proceedings of this assembly. Every member must sincerely regret that a division, temporary he hoped, had arisen among the great democratic party in Pennsylvania. The democracy of that state had sustained the union, and presented a solid phalanx to their opponents, and he hoped in heaven that no division would be suffered to prevail among them, but that harmony and union will be cherished and cultivated. Permit him respectfully and with all due deference to suggest to the respectable delegations from that respectable state a lesson from ancient history. We have a lesson of the fall of a splendid city, once the pride and glory of the east which should be unto them a warning against division. While the Roman army was encamped under the walls of that great city, with but little prospect of success, it was ascertained that a division had arisen within the walls of the city. What that originated from we are hardly able to ascertain; he would not say that it was so small a matter as that one party was in favor of Wolf, and the other of Muhlenberg, but we do know that one party was in favor of John and the other Eleazar. While these two parties in the city were in contention, both ready to meet the common enemy, but still divided by their intestine commotions, the Roman army became aware of the state of things, made a successful assault upon the fortifications, and in a few short days that splendid city, the pride and glory of the east, was razed to its foundation. He feared for the democracy of Pennsylvania, but he hoped in heaven his fears would not be realized. Sir, said Mr. B. I put the question to you as a benevolent father if two of your own family should knock at the door of your mansion for admission, what sir, would be your feelings? Would you not say, they are of my name they belong to me? Ah, but says one, although we are your children if my brother be admitted I will not enter the house, for my claim is better than his! What would the benevolent parent say? You both belong to the same family, take your seats around the family table, and if they refuse, you can then say, I have done my duty. The application must be understood by all. Again Mr. B. would repeat he trembled for the democracy of Pennsylvania, and heaven grant his fears might not be verified.

Mr. Burden, of Pennsylvania, did not suppose they should do much by following the advice of their friend John Quincy Adams, and "dodging" the question, for the party to which Mr. B. belonged did not understand much about "dodging." He was for following the example of president Jackson, marching right up to the enemy. The question with them was not about a consumption of time but whether it was the duty of that convention to settle it. He always thought it the duty of every body to decide on the qualifications of its members, and it required no argument to show that if they proceeded in accordance with the rules of the house of representatives it was their duty to settle this question, and to say who were entitled to be considered the representatives of the democracy of Pennsylvania and who not. There was no dodging this question, for, one way or the other it must and would come up. Would the convention have one set of delegates voting for one individual and the other for another! and then go home and tell the people of Pennsylvania that you came here to perform a duty, and that though you are called the "key stone" of the states, you have done nothing? It may satisfy your own minds, but it will not satisfy the people. Any attempt to cover this question will have the effect of destroying, so far as Pennsylvania was concerned, the efforts of the democratic party. It was to avoid that that he wished this matter to be settled, for he cared nothing about governors of Pennsylvania, but he wished to secure her vote for that administration to which they belonged and which they desired to sustain.

Mr. Mann, of Pennsylvania, expressed his regret at the feeling already manifested on this subject, and hoped that private feeling would hereafter be set aside and that the public good and the success of the candidates here nominated would alone be considered. All that was asked was that the whole matter

in dispute should be referred to a committee for investigation, and this not by one individual or one delegation alone, but by both delegations. Unfortunate as the division was, it was a matter of the utmost importance that this question should be met, and a decision made by the convention. He knew that to be the wish of his colleagues, and that they did not desire to "dodge" the question. He was perfectly willing that every thing between the two sets of delegates should be fully gone into and examined, in full and perfect confidence that himself and his honorable colleagues represented the democracy of Pennsylvania. Where was the objection of referring it to a special committee? He saw none. He had heard of a disposition to compromise, by admitting both sets of delegates, and if both were willing to refer the matter to a committee why not let that course be taken at once? In every point of view that he could take of this matter, he thought the convention should see the propriety of acceding to the motion for reference.

Mr. *Kremer*, of Penn. made a few remarks which we could not distinctly hear.

Mr. *Nathans*, of Penn. said this was a question with which every member ought to be well acquainted before coming to a decision. Accusations had been made to which he would not refer, for he would avoid every thing of an exciting character. He was acquainted with every part of the question, for he had had the honor of acting in the convention of the 4th of March, and he was also elected a delegate to the Lewistown convention, and he knew well that if the facts came before that body there could be but one decision, and in that he felt full confidence. He would assure the present assembly that they need have no fears for the democracy of Pennsylvania; it stood firm, nor would all the billows nor all the storms that might be raised against it, be of any effect. It had acquired, and would continue to merit the name of the "key-stone state," and which ever way the decision might be by that convention, the democracy of Pennsylvania would show that they stood firmer than it had done for any period during the last nine years. He most cordially desired the final settlement of the question by that convention, in which his colleagues were ready to submit. It was not then proper to enter into the causes which lead to the division but he would merely state that the principal cause was the abandonment or rejection of the great democratic principles.

Mr. *Sterigere*, of Pennsylvania, then proposed to amend the amendment by striking out the whole of the same except the words "except the persons named as delegates from Pennsylvania, and so far as respects such delegates," and inserting the following words, "that George Kremer, Jesse R. Burden, Richard Peltz, John Miles, Alex. C. Dougherty, Geo. F. Goodman, Benj. Champneys, Edward T. Evans, John L. Pearson, John B. Sterigere, William F. Swift, Nathaniel B. Eldred, Henry W. Smith, Herman Ahicks, William S. Ramsay, Miller Horton, Robert T. Stewart, Benjamin Patton, jr. John Bredin, John Mathews, Wm. F. Packer, William Seawright, Thomas Ringland, Charles Nace, David S. Hassinger, Saml. C. Stambaugh, George B. Howell, Thomas Feran, Benj. Powell and Edward B. Micsell, the delegates appointed by the democratic state convention held at Harrisburgh only, shall be entitled to seats in the convention."

Mr. *Sterigere* supported his amendment at some length, and entered into an exposition of the proceedings at the Harrisburgh convention, and concluded by earnestly calling upon the convention present to decide the question at once.

Mr. *Saunders*, of N. C. moved that when the convention adjourn, it adjourn to meet at 9 o'clock in the forenoon, until otherwise ordered.

The convention then took a recess till 4 o'clock.

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After reading a communication from *Illinois*, before noticed—

Mr. *Pew*, of Kentucky, rose and stated to the president, that major *Tho. P. Moore*, and himself, had been requested by a numerous and respectable meeting of the republican party of Illinois, held at Vandalia, to present the resolutions of the democracy of that state to this convention. He regretted to say that his associate, (maj. Moore) was absent at the south, and could not be present. Owing to his absence, he had taken from the post office a packet addressed to the president of the national convention, containing the sense of the republican party of that state, as to suitable persons to be put in nomination for the presidency and vice presidency. Believing that the nominees of the convention would be the same as indicated by the public opinion of Illinois, the gentleman said, to avoid raising any questions either to embarrass or obstruct the progress of the meeting, he would waive the right of that state to join in the ballotings—but begged that the expression of her opinions would be received and recorded with the proceedings of the convention. The request was unanimously granted.

On motion of Mr. *Horn*, of Pennsylvania, it was

Resolved, That the letter of the delegates chosen by the state of Illinois be recorded in the proceedings of the convention.

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Friday, May 22.

Mr. *Daniel*, of Va. said he was charged with the performance of a duty which he feared would not be gratifying to the assembly, but it was of deep and vital importance to the result they were all aiming to bring about there. At the hour of meeting, that morning, the delegation from Virginia were engaged in a very important discussion, but wishing to pay all due respect to the orders of that body it was broken off for that purpose, and he was instructed by that delegation respectfully to solicit of the convention, the indulgence of a short space of time, in order that they might terminate the business on which they were engaged. It was with regret that they should cause this inconvenience, but it was from a desire to harmonize with their brethren as much as possible. He moved, therefore, that the convention take a recess till 12 o'clock.

Mr. *Wright*, of New York, expressed his hope that the required indulgence would be granted, while at the same time, he also trusted that nothing would interpose to prevent the business of the convention from being brought to a close on that day.

The motion for a recess prevailed.

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[The convention shortly after the recess, then ballotted for president and vice president, the results of which have been already stated; but prior to the decision as to the latter, being announced from the chair (says the "Republican"), a good deal of conversation arose as to the propriety of a state's dividing its vote. One of the Ohio delegation was understood to say that some of the votes of that state had been cast for a different candidate, but that they had labored under the impression that all the votes of the state must be for one and the same candidate. Sundry motions were made, but they were all withdrawn.]

Mr. *Mason*, of Va. then said he was instructed by the Virginia delegation to state to the convention that the delegation from Virginia did not consider the person selected as a candidate for vice president, one who, they could be assured, would support those doctrines which were maintained by Virginia, and that they could not therefore recommend his support to their constituents. The honorable gentleman then proceeded to make some remarks deploring the necessity of this statement, explaining the reasons of it, and requesting the favorable construction of the convention.

Mr. *Holt*, of Kentucky, then rose and addressed the convention as follows: Mr. President, The gentleman who has just taken his seat, has announced, as the organ of the Virginia delegation, that they cannot, nor can their constituents acquiesce in the nomination just made by this convention, of R. M. Johnson for the vice presidency, and he has placed that secession from the popular will here expressed, upon the ground that this distinguished citizen of the west, does not support the republican faith as understood by Virginia. Sir, I have heard this declaration with equal surprise and regret. I know not what constitutes republicanism in the estimation of Virginia, and the gentleman has not thought proper to inform us. But I do know something of the history and character of the illustrious patriot and hero, whose devotion to democratic principles has been so unexpectedly and wantonly assailed. Who is he? If, Mr. President, you could at this moment transport yourself to the "far west," you would find upon one of her green and sunny fields, surrounded by the implements of husbandry, a personage whose plain and simple garb, whose frank and cordial and unostentatious bearing would tell you that he had sprung from the people—that he was still one of them, and that his heart, in all its recollections, its hopes and its sympathies, was blended with the fortunes of the toiling millions. But, sir, his scarred and shattered frame and limping gait would tell you, too, that the story of his life was not confined to a mere recital of household hospitalities or neighborhood charities. That story is no legend of obscure or doubtful authenticity—it lingers not alone in the kindly bosoms of friends, but every tongue in the republic can give it utterance, and the brightest pages of your country's history, have caught lustre from its glowing record. When this nation was agonizing and bleeding at every pore, when war had desolated with fire and sword your northern frontier, and the best blood in the land had been vainly spilt upon its plains, he left the warm halls of congress for the bleak winds of the Canadas; and waiting for no summons of the recruiting officer, he rallied about him the chivalry of his state, and dashed with his gallant volunteers to the scene of hostilities, resolved to perish or retrieve the national honor. With daring impetuosity he pursued and overtook the enemy—threw himself like a thunderbolt of war into the thickest of the fight—fought hand to hand and eye to eye with the Briton and his savage myrmydons—poured out his blood like water—triumphed and returned loaded with the richest trophies of the campaign. Sir, his deeds rely not for recollection or blazonry upon musty records, nor yet upon caucus or convention addresses—they have been spoken in the thunders of victorious battle—they have been written upon the hacked and broken armor of his country's invaders. His life has been one of unfaltering, unswerving devotion to freedom and to the people. The people "love him because he first loved them." His popularity rests upon no calculation of political chances. It is not seated in the arithmetic, but in the deep and ardent affections of his country.

It is not intriguers, nor president makers, nor the starched, strutting, brainless aristocrats of your villages that rally around him. No: It is the enlightened, liberal, laboring people whom he has served. It is the mechanics—the bold and hardy yeomanry, who are their country's pride in peace, its bulwark in war—men of the ploughshare and the pruning knife, who amid the late "panic" which spread dismay and consternation from one end of the union to the other, stood firm as the seated hills—still planting their crops and hailing the storm and the calm as equally commissioned to bless them: Men, sir, who were dependent for no banking facilities, who drew upon no heartless corporation, but upon the God that made them, and they

were answered in the sunshine and the shower. Their flocks sported in beauty and in gladness through their smiling fields—their harvests were ripened, their granaries filled. To *these* they looked for nurture—for protection to the brooding wings of the Almighty; and under their shadow and amid the household idols that blessed their domestic hearths, in the pride and unsullied nobility of their nature, they vowed "eternal hostility to every kind of tyranny that can oppress the mind of man." Under the influence of this high and holy resolve, the bank with all its train of intrigues and profligacies, has gone to the wall, and a peal of popular triumph has been shouted at the polls, which will ring, I trust, with sickening agony in the ears of purse-proud usurpation, for an age to come.

These are the men, Mr. President, that have demanded and will sustain the nomination of the distinguished personage to whose character and patriotic daring I have just referred. His fame, like that of our venerable chief magistrate, spreads every where—alike in the wilderness and in the "city full," penetrating into the far valleys, climbing to the hill tops, and reaching in its kindling, animating influences every log-cabin beyond the mountains. His brilliant and successful struggles against the foul, adulterous union of church and state, have consecrated his name to immortality. The emancipated debtor, as he leaps from his prison and pallet of straw, shouts forth his praises, and the soldier of the revolution, as he totters into his grave, teaches his children to love and venerate his name. There is a voice from the great valley of the west, from all her cities and her cottages. There is a voice from the east, from the north and the south; there is a voice from the fields of the husbandman, from the workshops of the mechanic, from the primary assemblies of the people, from the conventions of neighborhoods and of states, calling aloud for the elevation of this warworn soldier, this tried and incorruptible patriot, this advocate of the destitute and the down trodden, this friend to freedom and to man. Such, sir, is Richard M. Johnson, of Kentucky—a republican in WORKS, if not, in faith, as strangely understood by the Virginia delegation. I rejoice that this convention, in making this nomination, have scouted all the subtile diplomacy of the politician, and have freely responded to the warm, gushing affections of the millions they represent. They have nothing to fear for the fate of their nominee. He is fortressed behind principles and popular attachments, impregnable as Gibraltar. The people have twined the wreath of glory around his brow—the harpy hand of faction cannot tear it off, nor can the sirocco breath of a myriad of calumniations, wither the internal freshness of its emerald.

Mr. President, these remarks have been made wholly in defence and not by way of recrimination. No imputation is designed to be thrown upon the distinguished friend of the gentleman from Virginia. Of the talents, the patriotism and the democracy of William C. Rives, I entertain the most exalted estimate. I would not, if I could, pluck one sprig from the chaplet of renown which adorns his brow. "He has worn his honors well, and may he wear them long." In bowing to the right of instruction and retiring from the senate of the United States, again to submit his fortunes to the popular suffrage, he has made a sacrifice to republican principles, which does credit to his party, to his state; which sheds lustre not only upon his own life, but upon the age in which he lives. But, sir, he is yet in the flower of his manhood, with prospects that brighten every hour—this convention have not disparaged or discountenanced his claims—they have only been *postponed*.

Mr. President, I would beg the delegates who have voted in the minority upon this occasion, to pause and reflect upon the necessity of a prompt and cordial co-operation with the majority in the nominations made. Let not the seeds of weakness and ultimate overthrow be found in the present strength of the republican party. True, that party has warred upon systems of slavery and upon the father of systems, and left them prostrate upon the field. It has grappled with the mammoth bank, and the American aristocrats and British tories that sustained it—has triumphed, gloriously triumphed over them all. The story of that victory has gone abroad upon the wings of the wind—state has spoken it to state, city to city and man to man in the tones of gladness and congratulation. The nation has awakened from its somnambulism—and the panic, with all its dreamy spectres of ruin has passed off. And that colossal moneyed power which in the arrogance of its strength, and in the guilt of its ambition would have flung a fetter upon every free spirit in the republic, smote by the arm of popular indignation, is now gasping in the agonies of its dissolution. The splendid result, this sublime tribute to the incorruptibility and intelligence of the people, has strengthened the cause of liberal principles throughout the habitable globe. But, I beseech gentlemen in the minority here, to remember that vigilance, action, UNION, firm and unshaken, can alone guard the republican party from the insidious approaches of their discomfited adversaries.

For though those adversaries have been broken up and scattered every where, disguising themselves under every name, and assuming every badge, yet we know they are still leagued together by a common sense of defeat, by a common scorn of the people who have trampled them down, by a common longing for office and power, from which they have been driven, and by a common detestation of the great principles of the republican party. Impressed with these truths, the democrats of the union have sent us here, that we might meet as a band of brothers, and suffer our feelings to mingle into one, that we might plight anew our faith to each other, and to our country, prepare for concert and union of action, that we may go forth shoulder to shoulder, and heart to heart in the coming conflict. Mr. President, shall we do this, or shall we present to the high-souled freemen we represent, the humiliating spectacle of distraction in our own ranks? Whose ear is prepared for that wild and almost demoniac note of exultation, which would cross the mountains, and ring from one end of the nation to the other, through all the factions of the opposition? None, I trust. We have met upon the ground of friendly consultation and compromise as to men.

We have met to surrender all personal predilections and prejudices upon the altar of the common good. Let us then make the sacrifice cheerfully; from our hearts, gentlemen, let us make it. Let us by this day's action, tell the world, and especially the desperate votaries of ambition who are battling against us, that we strike for higher objects than "the spoils of victory"—that we are banded together by the ties of patriotism and of brotherhood—that with the destinies of the uncompromising democrats chosen by us, we have bound up the destinies of the republican party, and its great animating principles—that we will rally around them now and hereafter, here and every where, in one impenetrable phalanx, where no jar of discord shall be heard, no chill of disaffection shall be felt, and though the furnace of persecution shall be heated for them "seven times hotter than it has been wont to be," yet they shall not pass the fiery ordeal alone—not alone, but the great republican party, *one and indivisible*, will walk by their side and "shield them and save them or perish there too."

Mr. *Holliman*, of Virginia, said, after the very eloquent display that had just been heard, he felt bound to state to the convention the motives which had actuated the delegation of the Old Dominion. She had never yet asked nor sought for office—all she required was a guarantee for the preservation and maintenance of her principles. Her's was a stern, a strict, an unyielding and an undeviating respect for the principles of the constitution.

Mr. H. proceeded in substance to say, that Virginia was ready to support any man who was of her principles, and professed the Jeffersonian doctrines, whether he were from the Old Dominion or not; and that it would be in vain, an absolute absurdity for the Virginia delegation to recommend a man of opposite principles to the people of that state, and such the delegation considered col. JOHNSON to be.

On motion of Mr. *Horn*, of Pennsylvania, the convention took a recess till 6 o'clock.

In the evening.

The president announced that he had named *Silas Wright*, jun. of New York, *Upton S. Heath*, of Md. *Jared R. Williams*, of N. H. *Robert Strange*, of N. C. and *Samuel A. Cartwright*, of Miss. to address the people of the United States.

New Jersey, Maine, Georgia, Maryland, Massachusetts and North Carolina gave in their adhesion to the selection that had been made of vice president—

General *Saunders*, of North Carolina, said that without intending, in the slightest degree to reflect upon the course which may have been taken by others, he was authorised to say, in behalf of the delegation from North Carolina, that having gone into the convention and united in the various rules and orders adopted for its government, particularly in the resolution requiring two-thirds to constitute a nomination, and that vote having been given in favor of a distinguished individual of Kentucky, as the candidate for vice president, that delegation feel themselves bound by the nomination thus made, whatever may have been their own preferences; nor do they consider it necessary to offer any particular resolution expressive of that concurrence. Having said thus much, under the authority of the delegation, gen. S. asked permission to add a word in behalf of a portion of it, as well as in behalf of himself; that whilst he concurred in the vote given in support of William C. Rives, of Virginia, not because of his residence, nor because he was of the south; but because we deemed him peculiarly acceptable to the people of North Carolina, and because we supposed him acceptable to the great republican party of the union. But the convention having decided in favor of another, they not only yielded themselves, but felt confident that the people of the state would approve of their course.

And, sir, said general S. as the personal and political friend of William C. Rives, I feel authorised in believing and of saying that he would be the last man in this community who would refuse to submit to the decision of the great democratic party, announced as it had been by the EMPHATIC vote of this assembly. No, sir, the proof that Mr. Rives had recently given of his submission to the will of his constituents, and his practical recognition of the right of instruction, that cardinal point in our political faith, repels the idea of a refusal to yield to the will of the democracy.

And, sir, as regards the democracy of "the good old state," that cannot, NOR WILL NOT refuse to concur in the vote recently given. No, the democracy of this patriotic state, with acclamation united with gallant Kentucky in that war which was called for by the offended honor of the nation, sustained as it was by her blood and treasure, this democracy cannot now refuse to unite in honoring one who contributed so much to its actual declaration, successful prosecution and glorious termination. And while she feels grateful to the gallant soldier, she knows how to appreciate the merits of the faithful public servant, and we undertake to say, in behalf of the de-

mocracy of our beloved mother, that they will unite with their brethren of the same republican family, in the north, the west and the east, in sustaining this sacred cause, and in waiving in triumph that banner on which has this day been inscribed by this convention the names of Martin Van Buren and Richard M. Johnson.

[Gen. S. sat down amidst immense and deafening cheerings.]

Mr. *Mason*, of Virginia, again rose and reiterated the dissent of the Virginia delegation, from the nomination of col. R. M. Johnson, and gave as a main reason that col. J. was understood to be favorable to the bank of the United States.

Mr. *Ranney*, of Missouri, said he was authorised to state that col. Johnson had ever been opposed to the United States bank, and was among the first who opposed the chartering of that institution, and has opposed it on all occasions whenever the question had come up. Mr. R. would add that the vote of Missouri could not have been given for col. Johnson unless that fact had been distinctly understood.

Mr. *Lytle*, of Ohio, then rose and addressed the convention at considerable length, in defence of the principles of colonel Johnson, and the services rendered by him to his country.

[We should publish Mr. *Lytle's* speech, had we not given Mr. *Holt's*.]

Mr. *Saunders*, of N. C. from the committee appointed to prepare rules for the government and order of proceeding of the convention reported the following resolution.

Resolved, That the several states of the union be, and they are hereby respectfully, and earnestly requested at proper and convenient periods hereafter, by delegated conventions of the democracy, or in such other modes as may be more in accordance with their institutions and forms of proceeding, to nominate electoral tickets known to be favorable to, and which, if elected, will vote for the nominations made by this convention, to the end that the voice of the people may be made effective in the choice of president and vice president—that a resort to the house of representatives may be avoided.

A motion was made to lay the resolution on the table, which was negatived.

Mr. *Kremer*, of Pennsylvania, said he should unquestionably vote against the resolution, for it was an imputation upon the democracy of the country that they did not know the fit and proper time to fix upon their electoral tickets. There were some states in the union that had already settled their tickets, and why call upon them again? He had no hesitation in saying that the resolution was wholly uncalled for.

Mr. *Sterigere*, of Pennsylvania, moved to amend the resolution so as to except such states as had already formed their electoral tickets.

The previous question was then called for and sustained, and the main question having been ordered to be put—some confusion arose out of one part of the Pennsylvania delegation asking that the vote thereon be taken by states, and the other that it should not; finally the Georgia delegation made the demand, and the votes on the passage of the resolution were as follows:

For the resolution—New Hampshire, Vermont, Massachusetts, Connecticut, New York, New Jersey, Delaware, Tennessee, Kentucky, Ohio, Indiana, Louisiana.

Against it—Maine, Rhode Island, Maryland, Virginia, North Carolina, Georgia, Mississippi.

The delegations from Pennsylvania in voting on this question voted, one 30 in the affirmative, and the other 30 in the negative, so the votes being balanced they were not counted.

A motion was made to reconsider the vote adopting the last named resolution, but the president deciding that the vote having been taken by states it required a state delegation for the motion—

The state of Maryland made the motion, but it was pronounced out of order, as that state had voted in the minority, whereupon,

Mr. *Sterigere*, of Penn. offered the following:

Resolved, That the resolution adopted by the convention in relation to the formation of electoral tickets in the several states, shall not be considered as applicable to the state of Pennsylvania.

Mr. *Bell*, of Pennsylvania, said, the adoption of this resolution would involve the convention in inextricable difficulty, and he hoped it would be at once rejected. Mr. B. again said that he was fully prepared to go into the investigation of this subject, nor had he or his colleagues exhibited any inclination to shrink from it.

Mr. *Branch*, of R. I. expressed his surprise that the chairman of the committee, (Mr. *Saunders*), of which Mr. B. was a member, had reported the original resolution, for he had heard nothing of it in committee.

Mr. *Saunders* explained that he had done so under instructions from the majority of the committee.

Mr. *Branch* replied that had he been consulted on the subject he should have used his utmost endeavors to have prevented its adoption in the committee, knowing that it was throwing a fire brand into the delegation from Pennsylvania. The whole object of the convention has been to avoid engaging in that conflict, and to endeavor so to shape its course that the state struggle may be confined within its own limits.

Mr. *Sterigere* briefly advocated the resolution, and after some further debate—

Mr. *Graham*, of New York, called for the previous question, which being sustained, and the main question ordered to be put—

And the vote stood as before.

So the convention refused to adopt the resolution. [The vote of Pennsylvania was again equal on both sides, and therefore not counted.]

[The usual vote of thanks were passed—and the convention adjourned *sine die*. So endeth the *official* account.

—

From the Baltimore Patriot—not official.

The Van Buren convention has been held, and its nominations have been made, as we announced yesterday, and as will be seen in the report published to day. We propose to take a brief, but calm review of its proceedings, and to hazard an opinion respecting its consequence. Expecting the convention to be composed wholly of greedy office holders and expectants, when it came together, we little dreampt that there would be so much strife, bickering, ill feeling and *management* there displayed, as what we witnessed. The convention was composed of men, acting, as every one might see, upon opposite interests. The Virginia delegation were at the head of one interest, and the New York delegation at the head of the other. The former, though Van Buren men, were still Virginians, remembering their principles, and desiring to present to the country a ticket which the people of the south could support, without openly compromitting their principles, or sacrificing their own self respect. On the other hand, the New York delegation cared nothing for principles! To them, popularity, and the man who would secure for the ticket and *Martin Van Buren* the "*hurrah boys*," was every thing! Virginia, through Dr. Mason, declared she went not for *William C. Rives!* she went for those *principles* which she dearly cherished, and would not be separated from. She would go for any man who was known to be respectable, and a disciple of her doctrines. New York, through Mr. Holt, of Kentucky, and R. T. Lytle, a fat office holder of Ohio, rung out the changes upon "old Tecumseh"—his scars—his Sunday mail report—efforts to procure pensions for old soldiers, and annuities for widows—his opposition to imprisonment for debt—the love the western people have for him, and all that kind of thing.

Dr. Mason, as the representative of the Virginia delegation, approved of all these things in colonel Johnson. But he said his party in Virginia could not support him, upon principle. They had not dared even to meet the opposition on the question of Mr. Van Buren alone, *because of the uncertainty of his principles*. They had fought with all their strength against one of Virginia's most talented sons, BEN. WATKINS LEIGH, because they feared he might, in some peculiar contingency, be a bank man. They had conquered in their recent struggle. They had sacrificed Mr. Leigh—and how would they now appear, to go back to their constituents and ask them to support Richard M. Johnson, a bank man, an internal improvement man and a tariff man! They could not, and they would not do it.

The Virginians were laughed at, derided and insulted. The New York delegation found the New Jersey, Massachusetts and Maine Jacksonism so pliable that it could be moulded as New York pleased, and they snapped their fingers to the entire south, if it chose to desert them.

One of the delegations from Pennsylvania, too, the Wolfites, received a most contemptuous insult at the hands of the N. Y. delegation—for it was that delegation, under the direction of Mr. *Silas Wright*, jr. that managed every movement. The resolution calling upon Pennsylvania to nominate a new electoral ticket, was opposed honorably, fairly, and to the very last, by the Wolf delegates; and yet it was passed, by order of Mr. Wright, to rebuke them for suffering five of their number to dare to prefer Rives in open convention. The Muhlenberg delegates were about equally divided, out of the convention, between Rives and Johnson, but getting their cue from Mr. Wright, they gave their entire vote for Johnson, and as a consequence, procured the passage of the resolution to form a new electoral ticket in Pennsylvania. This widens the breach between the two parties in that state—makes it totally impassable—causes two Van Buren electoral tickets to be seen—and *secures the vote of Pennsylvania, as old George Kremer openly declared, for the opposition!*

The management in regard to the Missouri delegates also displayed its cloven foot. Both delegates, some little time previous to the balloting, declared to the friends of Rives that he was their man, and that they could not support Johnson! But they were brought over.

The whole proceedings of the convention have been management—management—management! They have proved any thing but a "labor of love" to the Virginia delegates or to the delegates from the Wolf party, in Pennsylvania. The former have been derided and laughed at, for their "nice, fine-spun notions of principle," and the latter insulted and defied! The Wolf delegates were denied a hearing—cut off from all explanation, by continual calls for the "previous question."

We believe the proceedings of the Van Buren convention will result in this: Virginia will not attempt to instruct Mr. Leigh out of the senate; Mr. Philip P. Barbour will be placed upon the ticket with judge White which will secure for it the support of all the south and the southwest. Pennsylvania will have two electoral tickets in the field, and if any members decline upon the present ticket, their places will be immediately supplied by other *Wolf men*, and the opposition will carry the state.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞A supplement of eight pages accompanies the present sheet.

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We have noticed two public dinners—(one given to gov. *McDuffie*, of South Carolina, at Hamburg, and the other to Mr. *Bell*, late speaker of the house of representatives, at Nashville), and added a sufficiency of the toasts to shew the spirit that "moved" them.

—

The city councils of Philadelphia have passed the following resolution:

"*Resolved*, by the citizens of Philadelphia, in select and common council assembled, That the hours of labor, of the working men employed under the authorities of the city corporation, shall be from '*six to six*,' during the summer season; allowing one hour for breakfast, and one hour for dinner."

This is altogether proper. It determines what shall be called a *day's work*—leaving all else conventional between the parties.

In general, ten hours labor is as much as a man ought to perform, especially if exposed to the sun; but there are certain conditions under which employers desire to have more labor—and this may be obtained by special agreement between the parties, as the price of a day's labor, itself, is agreed on. This is as far, we think, as any such regulation should go. Some men are worth more than others—and either party should be at perfect liberty to make a bargain about price. Labor is a commodity—and persons may dispose of, or purchase it, at discretion, the same as bread and meat. It is only allowable to prescribe the *quantities* that shall be sold or obtained.

The proceeding appears agreeable to the working people of Philadelphia. It has long since been established among the mechanics of Baltimore, and, in cases where the principle is applicable to the nature of the business that they pursue. But piece-work is generally preferred—and it is certainly better for the parties, when it can be given out.

There have been some unpleasant affrays between the printers at Washington—but they are quieted for the present. We hope that *these* will respect the law. They cannot accomplish any good thing by violence.

—

The *New York Evening Post* says—

"Virginia is lost to Van Buren—no one can misunderstand T. Ritchie's jesuitical mode of extricating himself from a difficulty. He gives up Johnson, and *must* shortly give up Van Buren—he declares for him *now*, but the movements of the south will compel him to change his ground. The plot of Ritchie, however, is to try and secure the vote of Virginia for Van Buren, by placing Barbour on the ticket with him for vice president. The abandonment of Johnson is an *understood* affair between him and Van Buren, but it will all fail."

—

We were much surprised in casually looking over one of those "*ever-lastingly*" long articles that appear in the "Richmond Enquirer," to find the follow charges preferred against Mr. *Leigh*, of Virginia:

"'Show me your company, and I'll tell her who you are.' *With the single exception of Mr. Crawford, who was the advocate of the bank, Mr. Leigh has never co-operated with Virginia in the choice of a president;* on the contrary, has uniformly sustained those who were abhorrent to her on account of her political principles. Mr. Leigh by his rececnt course and his own declarations, has proved himself an advocate of the bank, *as the alternative of evils.* In no one instance has he been known to sustain those doctrines and principles which Virginia proclaimed, six and thirty years ago, as essential to the integrity of the constitution and the preservation of the union. *He was the advocate of the alien law; the reviler of Jefferson; the contemner of every prominent measure of his administration, and the opposer of Madison as his successor.* He was the delegate who voted in 1812, with a small minority of well known federalists, against a *resolution of the general assembly of Virginia, declaring that peace, as we now have it, is disgraceful, and war honorable.*

There are many other articles of like kind and quality preferred against the gentleman.

We had thought Mr. *Leigh* guiltless of all these things, seeing that he was, by the vote of both houses of the legislature, *unanimously* appointed a commissioner to South Carolina in January, 1833, to convey to that state the sentiments of the people of Virginia as to state rights, &c. See vol. 43—page 394. At that time, the gentleman was, *of all in Virginia*, supposed best fitted to carry out the "Virginia doctrines;" and something was said about his mind being "*as pure as ether*," &c. It is certain, that he was entrusted with the *delicate* task of opposing the proclamation of the president—and, at the same time, of inducing South Carolina to refrain from pushing things to extremities—and by the unanimous vote of both branches of the legislature.

It appears from the preceding extract that Mr. *Leigh* co-operated with *Virginia* in the support of Mr. Crawford, "*who was an advocate of the bank.*" This fact should teach us charity, when we speak of the bank, and those that were friendly to its recharter—*that not at all standing in the way of Virginia, either in the caucus that nominated, or the vote that was given to him, in* 1824.

—

The "*Nashville Banner*" says—

"The 20th of May has come and gone—the humbug convention at Baltimore is now sitting—Mr. Van Buren has been nominated by the convention, and yet not a single delegate, in a single district, has been nominated, or attempted to be nominated in Tennessee. How, why is this, Messieurs of the union? Van Buren set up that paper in Nashville on purpose to carry the state in favor of the caucus. Alas! What a poor account they have to render to their owners! Not a single delegate appointed!"

The editor, however, will find that Tennessee was *represented* in the convention, by a Mr. *Edward Rucker*, though by *whom* appointed, and *when* and *where*, may never be discovered! Like Mr. *Kremer*, at a former convention, he gave the votes of the state!—"Pennsylvania, thirty votes, by George Kremer!"

Like things happened in several other cases. Among others, those of Mr. *J. Penn*, of Kentucky, and Mr. *White*, of North Carolina, are mentioned.

—

Under the head of "perfidy," in the *Pennsylvanian*, we find the following choice article:

"Was there ever a more notorious, a more PERFIDIOUS act than this? They intend not only to *force* George Wolf upon the Democratic party; but they have resolved to *force* an electoral ticket upon it, framed in *defiance* of a resolution of the national convention!"

Per contra—the *Lancaster Journal* says:

"We do not believe, from the recent manifestations of public opinion, that there is one well informed friend of Mr. Muhlenberg throughout the state, who believes his election to be possible. *Let his friends then, who are the friends of democracy and the enemies of the bank, rally round the standard of George Wolf—the regular democratic candidate—let every thing like discord and division*, in the settlement of the county tickets for members of the legislature, be avoided—democracy will then triumph, and the rights of the people be redeemed from the power of the bank."

"Redeemed from the power of the bank," by the election of *George Wolf!* We thought that the people had been *otherwise* "redeemed"—but it seems not true!

—

The Philadelphia "*Sentinel*," (the organ of the *Wolf* party in Pennsylvania), thus hurls defiance to the decree of the late *Baltimore convention*, by which it was ordered that a new electoral ticket should be formed in that state:

"The *Muhlenberg* delegates were compelled to vote for a candidate for the vice-presidency, for whom they had not intended to vote, and for whom, it is believed, their vote, which was irregularly smuggled in, was not, in the first instance, given. It must, therefore, be obvious to every one, that there is no necessity for the democrats of Pennsylvania to go to the trouble and expense of holding another convention, merely to gratify a few disorganizers, whose only ground of complaint is, that they had not a hand in the business. The electoral ticket formed by the 4th of March convention is an unexceptionable one, and the

New Orleans, 1,250 miles.
to New Orleans, 2,050 miles.
, Arkansas, to Pittsburgh, 1,500 miles.
have ascended the Missouri 2,100 miles
ssissippi, or nearly 3,500 miles from the
eo.
stances are only as types of the communi-
he rivers! We wish that some one would
s proposed by us.

—

"yet another" destructive fire at New
ay morning last, in the block bounded by
eth and Mott streets, and thirty frame
with "brick fronts" consumed. It was
Dublin," and about *eight hundred* Irish
deprived of their lodgings—about one
ty families!

—

arpenters' shops, located in different
were burnt down in Philadelphia in one
by design; and, probably, having some
he late "strikes." The mayor had is-
on on the subject.

—

a great and calamitous fire at Charles-
ke out in the morning of the 6th inst.
, A. M. on the west side of Meeting
ot its ravages until about two hundred
troyed—some few of them large brick
ty two story frame houses—four en-
d by Market and Hasell streets, on
h, Meeting street on the west, and
nson street on the east, with the ex-
dwelling house belonging to and oc-
uel Lord, in Maiden Lane,—being
eeds of persons rendered homeless
perhaps, (says the Courier) the
hat has ever ravaged and desolated
ber 9, 1810, may have approached
but the present calamity has fallen
of those in moderate or needy cir-

—

gers went back to Europe, in the
m New York, a few days ago.
t of people that we like to part
ce only the amount of paupers
s and villains, of a high or low
ewed on our shores.
sfaction to say, that, so far, the
have reached the United States,
very small. So also in Canada.

—

ter of a place is to be judged of
its papers, we think Buffalo out-
the city of New York. Of the
last Buffalo Whig, but three are
ffer; the remainder of business

—

ary annual expenditures of the
n county, with the average num-
aggregate expense of each pau-
34—year ending May 1835.

No. paupers.	Aggregate ex.
61	$43 45
58	47 37
58	47 05
56	47 36
55	50 15
56	43 50
78	39 67
99	41 53

umber of paupers for the last two
owing to the introduction of poor
in the prosecution of the work
al. [*Hagerstown Torch Light.*

—

ouri, is situate on the west side
miles north of St. Louis! Edu-
seems, is very cheap—only twen-
ion, and no more than fifty for
expense can be avoided by the student's substituting, in the room of it, labor on the farm. Four thousand acres are in meadow, which the student mows and makes into hay during the summer vacation. Besides this, he has one acre at the college, which, at his leisure, he cultivates in the way he prefers.

Where *is* the west?

—

The *Convent trials* at Concord, Mass. ended on Saturday morning, by the acquittal of Kelly, Pond, Hadley and Budd. Only one indicted person now remains to be tried, and it is doubtful whether he will be called upon.

—

There have been three valuable arrivals at Baltimore, from Peru and Chili, during the last two weeks—the Ann McKim and Ea, belonging to Isaac McKim—and the Tweed, to John Hutson. They brought large quantities of specie and copper, &c. The A. McK. is said to have brought 250,000 dollars.

—

Poulson's American Daily Advertiser says—

Mr. Gay, the engineer employed by the commissioners appointed to carry into effect the law authorising a company to construct a canal from Columbia to the Maryland line, has made a survey of the route, and completed an estimate which proves the practicability of the work at a price far below the estimate of *common report*. He says "the difficulties to be encountered are not as great as common report has represented them, and I take pleasure in assuring you that it is entirely practicable to construct a permanent canal upon the route examined." The distance, it appears, is 29 miles, and will cost $1,817,587. The work to be completed with double locks, tow paths, &c.

The engineer further remarks, that "having personally superintended the construction of some of the heaviest work upon the Pennsylvania canals, I am enabled (from a careful comparison of the difficulties there encountered, with those which are found on the route of this canal) to present the estimate with *full confidence in its sufficiency* to complete the canal in a *permanent and workmanlike manner.*"

—

A quarry of *verd Antique*, and beautifully variegated marble, has been discovered at Haverstraw, near the Hudson, 30 miles from New York. The owner has been offered $50,000 for his quarry! It is said to be superior to any hitherto found! Its discovery was the result of accident. The land had been in possession of the family for near 200 years.

A quarry of *pure* white marble has been discovered near Carlisle, Pennsylvania.

—

Com. *Henley*, commander of the West India squadron, died at Havana, on the 23d of May. His remains were sent in the sloop of war Vandalia to Pensacola. He had been indisposed for several months—but departed very suddenly.

GENERAL ORDER.

As a mark of respect to the memory of commodore *John D. Henley*, who died May 23d, on board the flag ship Vandalia, in the harbor of Havana, whilst in command of the United States naval force in the West Indies and Gulf of Mexico, you will cause the flags of the station and vessels of war under your command, to be hoisted half mast, and thirteen minute guns to be fired at 12 o'clock, M. on the day after the receipt of this order.

You will also direct the officers under your command to wear crape on the left arm for thirty days.

JOHN BOYLE, *acting secretary of the navy.*

—

A most afflicting casualty occurred at West Point on Monday, the 1st inst. says the N. Y. American. While two of the cadets were fencing together, the button of one of the foils broke in making a lunge, and the foil entered the eye and the brain of cadet *Carter*, of Va. He survived the wound only a few hours. The state of mind of his surviving friend, is almost bordering on distraction.

This is another warning to those which fencing schools have so often before furnished by similar catastrophes, *never to fence without the mask.*

—

Another story has been set afloat regarding the fate of Mrs. *Alston*, wife of governor Alston, of South Carolina, and daughter of col. Aaron Burr, who mysteriously disappeared, more than 20 years ago, while proceeding from New York to Charleston. It is now said—"From the

Muhlenbergers must vote for it, or once more quit the party. *It will not be withdrawn.*"

—

The Annapolis *Republican* of Saturday last, says—

The Maryland state loan, of two millions of dollars, for which we have had some of the large dealers in stock in competition, such as Messrs. Biddle, Chauncey, Moss, Cohens, &c. was finally taken by the Messrs. Cohens, of Baltimore, at a small advance upon the limit. The terms will depend upon whether *bonds* or *certificates* be issued, which the treasurer reserves the right to decide.

The limit is 15 per cent. The stock bears an interest of 6 per cent.—and, considering the period that it has to run, the rate is a low one—regard being had to the present apparent value of money. It is not redeemable for 35 years. Another loan of a million of dollars, to bear the same interest and to run for the same period, is also required by the state for the completion of the Susquehannah rail road to York. Offers will be received by the treasurer at Annapolis until the 15th July.

—

The *Rothschilds* have now four branches, or houses, in the United States—at Boston, New York, Philadelphia and Baltimore. That at New York, it is said, makes an average deposite in the banks of that city of a million of dollars a day!

—

Two hundred shares of Baltimore and Ohio rail road stock sold at auction, on Monday last, from 73.75 to 75 dollars a share. The last is the par value. This affords great relief to our city, in which the people had so much money "locked up."

—

The commissioners of the *Merchants' bank*, Baltimore, last week, completed a distribution of the stock. The money returned, (at 10 dollars per share paid in), amounted to nearly *four millions of dollars*, over and above the capital required!

Of the subscriptions to the "bank of Charleston" we have the following account in the "Courier" of June 3—

The subscriptions to the new "bank of Charleston," at the final closing of the books, by the commissioners, in this city, yesterday, at 2 o'clock, P. M. had reached the enormous amount of $81,180,800, being more than forty times the contemplated capital of the institution. Books were simultaneously opened in the towns of Hamburg, Columbia, Camden and Cheraw, and although it is uncertain to what extent subscriptions have been made in those places, the presumption is that they will swell the total amount to at least *ninety millions of dollars*.

A subscription, so vastly disproportioned to the capital for distribution, is, we believe, unparalleled in the moneyed history of any era, even when the spirit of speculation has rioted in the wildest extravagance. Many individual subscriptions have covered half, and several the whole of the capital of the bank. The shares to be distributed, amount only to *twenty thousand* in number, at the rate of $100 per share, making a capital of *two millions of dollars*, and the first instalment of one-fourth, or $25 per share, required only $500,000, to be paid down—but the number of shares subscribed for in Charleston alone, is 811,088, and the amount paid into the hands of the commissioners, is $20,277,200, being an excess of 791,088 shares, over the whole number, and of $19,777,200 over the total amount of the first instalment.

This was brought about by the following operation—

"The city banks commenced a system of liberal discounts—it being understood that the sums obtained on discount should be subjected only to drafts in favor of the commissioners of the new bank, and that the surplus, after adjustment of subscriptions, should be immediately refunded to the several institutions from which they had been obtained. Thus were discounts effected in amounts, usually large, and by persons scarcely responsible, (proportionably we mean), and an additional impulse and momentum were given to the rage for speculation. And this, too, was done with perfect safety, and with the certainty of large profits by the banks—for by the arrangements of the commissioners, checks only on the several banks were received in payment of subscriptions, and each bank was made the place of deposite for the checks drawn upon itself—and thus the whole profit will be realized by these institutions without one cent being drawn from their vaults, the whole operation being performed by a simple transfer of credits from one name to another."

And so "paper did the business!" But there was a large accumulation of *real* capital, also, which considerably enhanced the price of rail road stock, &c.

—

The legislature of *Connecticut* has adjourned. Among the acts are three incorporating roads, viz: one from Hartford to the north line of the state in the direction of *Worcester*—one from Hartford to the north line of the state in the direction of Springfield—and one from Danbury to Fairfield or Norwalk.

A bill repealing the law prohibiting the establishment of schools for the education of colored persons not inhabitants of the state, was rejected almost unanimously.

A bill was passed—97 to 72—by the house of representatives, (but we do not find it in the list of acts), in relation to joint stock companies. It authorises any persons to exercise corporate powers with a capital of not less than $10,000 nor more than $100,000—no company to commence business until one-half the capital is actually paid in—no charter to extend longer than twenty years.

—

The convention for amending the constitution of *North Carolina* is in session. There is a "decided majority of whigs" in it. The venerable *Nathaniel Macon* was unanimously elected president, and *Edmund Freeman* chosen secretary, over Mr. *Cavan*, late a member of the Baltimore convention; and *Joseph Gales & Son* printers.

The Norfolk Beacon, referring to the returns of members elected, says of this convention, that it "will bear a favorable comparison in point of talents, public services and high moral worth, with any similar body that has convened for many years past."

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The "public" has been much excited, at New York and Providence, by the performances of the steamboat *Lexington*—a new boat, plying between them; and very particular accounts of her construction are published. She is called the "fastest boat in the world"—but only shews the progress of improvement, (if such she is), *and will lead to a yet faster!* It is certain, that she has great capacity and power. She is 208 feet long, 22 feet beam, and 11½ feet in the hold—the stroke of her piston is 11 feet, the diameter of her water wheels 24 feet, and their revolutions from 21 to 23, in a minute! She is also very strong—and has made the voyage between the places named in 11*h.* 59*m.* When the rail road from Boston to Providence is completed, the distance from New York to the former, (two hundred and fifty-one miles), will be performed in about fourteen hours. Add six hours for the time from Philadelphia, and we have *twenty hours* for the journey to Boston—which *Oliver Evans*, (in the hearing of the editor of this paper), was thought a madman for saying, in about 1790, that "*the child was then born who might travel it in one day*"—or twenty-four hours.

The cost of this boat, for wood, is said to be one-half less than "an ordinary boat." This is not less important than her speed. Her engine is of about 140 horse power.

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The steamboat *Kentucky* was sold last week, at Baltimore, for 21,000 dollars—not one-half her value.

—

The *Missouri Republican* of the 23d ult. says—

Twenty-two steamboats, from the Great Mogul, carrying 700 tons, to the diminutive Jo Davies, of less than 30 tons, were to be seen at our wharf on Thursday morning. Of this number, there were boats from the east and the west, the north and the south—hundreds of miles on the respective rivers. There was one which was built, not exactly in the "far west" but two hundred and fifty miles up the Missouri; another, upon Fever river, near Galena; and the others at various places on the Ohio river. All of them arrived, and have departed, or will leave, with full freight, and many passengers. On Wednesday, the Diana started for the Yellow Stone river, about 2,000 miles up the Missouri; and another for St. Peters, 700 miles on the upper Mississippi. During the week, several have left, or will leave for New Orleans; and others, again, for Pittsburgh. And regular packets run almost daily up the Illinois river.

—

The following table of distances, compiled from the forthcoming "Comprehensive Atlas," of T. G. Bradford, (noticed a few days since in the REGISTER), will give an idea of the immense facilities of intercommunication in the Valley of the Mississippi, and between places in the valley and on the Atlantic shores:

St. Louis to Fort Leavenworth, on the Missouri, 400 miles.

St. Louis to American fur company's establishment, mouth of Yellow Stone, 1,800 miles.

St. Louis to St. Anthony's Falls, up the Mississippi, 900 miles.

St. Louis to Pittsburgh, 1,150 miles.

St. Louis to New Orleans, 1,250 miles.
Pittsburgh to New Orleans, 2,050 miles.
Little Rock, Arkansas, to Pittsburgh, 1,500 miles.

Steamboats have ascended the Missouri 2,100 miles from the Mississippi, or nearly 3,500 miles from the Gulf of Mexico.

But those distances are only as types of the communications on *all* the rivers! We wish that some one would add them up, as proposed by us.

—

There was "yet another" destructive fire at New York, on Monday morning last, in the block bounded by Prince, Elizabeth and Mott streets, and thirty frame houses, or those with "brick fronts" consumed. It was called "Young Dublin," and about *eight hundred* Irish emigrants were deprived of their lodgings—about one hundred and thirty families!

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And—three carpenters' shops, located in different parts of the city, were burnt down in Philadelphia in one night—manifestly by design; and, probably, having some connection with the late "strikes." The mayor had issued a proclamation on the subject.

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There has been a great and calamitous fire at Charleston, S. C. It broke out in the morning of the 6th inst. at half past twelve, A. M. on the west side of Meeting street, and ended not its ravages until about two hundred buildings were destroyed—some few of them large brick mansions, but chiefly two story frame houses—four entire squares bounded by Market and Hasell streets, on the south and north, Meeting street on the west, and Maiden lane and Anson street on the east, with the exception of the brick dwelling house belonging to and occupied by Mr. Samuel Lord, in Maiden Lane,—being consumed, and hundreds of persons rendered homeless and houseless. It is perhaps, (says the Courier) the most calamitous fire that has ever ravaged and desolated our city—that of October 9, 1810, may have approached it in extent of ground, but the present calamity has fallen on a large proportion of those in moderate or needy circumstances.

—

Fifty steerage passengers went back to Europe, in the ship Westminster, from New York, a few days ago. These are not the sort of people that we like to part with. We would reduce only the amount of paupers and vagrants, and rogues and villains, of a high or low grade, that have been *spewed* on our shores.

It affords us great satisfaction to say, that, so far, the number of emigrants who have reached the United States, in the present season, is very small. So also in Canada.

—

If the business character of a place is to be judged of from the appearance of its papers, we think Buffalo outstrips every other except the city of New York. Of the 28 large columns of the last Buffalo Whig, but three are comprised of reading matter; the remainder of business advertisements.

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Statement of the ordinary annual expenditures of the poor house of Washington county, with the average number of paupers, and the aggregate expense of each pauper, from 1827 up to 1834—year ending May 1835.

Years.	*Annual ex.*	*No. paupers.*	*Aggregate ex.*
1827	$2,668 01¼	61	$43 45
1828	2,763 58¼	58	47 37
1829	2,731 50	58	47 05
1830	2,668 29½	56	47 36
1831	2,765 17½	55	50 15
1832	2,458 02½	56	43 50
1833	3,109 09¼	78	39 67
1834	4,212 89	99	41 53

The increase in the number of paupers for the last two years, has been mainly owing to the introduction of poor strangers into the county in the prosecution of the work on the rail road and canal. [*Hagerstown Torch Light.*

—

Marion college, Missouri, is situate on the west side of the Mississippi, 120 miles north of St. Louis! Education in this college, it seems, is very cheap—only twenty dollars a year for tuition, and no more than fifty for board. Even this small expense can be avoided by the student's substituting, in the room of it, labor on the farm. Four thousand acres are in meadow, which the student mows and makes into hay during the summer vacation. Besides this, he has one acre at the college, which, at his leisure, he cultivates in the way he prefers.

Where *is* the west?

—

The *Convent trials* at Concord, Mass. ended on Saturday morning, by the acquittal of Kelly, Pond, Hadley and Budd. Only one indicted person now remains to be tried, and it is doubtful whether he will be called upon.

—

There have been three valuable arrivals at Baltimore, from Peru and Chili, during the last two weeks—the Ann McKim and Es, belonging to Isaac McKim—and the Tweed, to John Hutson. They brought large quantities of specie and copper, &c. The A. McK. is said to have brought 250,000 dollars.

—

Poulson's American Daily Advertiser says—

Mr. Gay, the engineer employed by the commissioners appointed to carry into effect the law authorising a company to construct a canal from Columbia to the Maryland line, has made a survey of the route, and completed an estimate which proves the practicability of the work at a price far below the estimate of *common report*. He says "the difficulties to be encountered are not as great as common report has represented them, and I take pleasure in assuring you that it is entirely practicable to construct a permanent canal upon the route examined." The distance, it appears, is 29 miles, and will cost $1,817,587. The work to be completed with double locks, tow paths, &c.

The engineer further remarks, that "having personally superintended the construction of some of the heaviest work upon the Pennsylvania canals, I am enabled (from a careful comparison of the difficulties there encountered, with those which are found on the route of this canal) to present the estimate with *full confidence in its sufficiency* to complete the canal in a *permanent and workmanlike manner.*"

—

A quarry of *verd Antique*, and beautifully variegated marble, has been discovered at Haverstraw, near the Hudson, 30 miles from New York. The owner has been offered $50,000 for his quarry! It is said to be superior to any hitherto found! Its discovery was the result of accident. The land had been in possession of the family for near 200 years.

A quarry of *pure* white marble has been discovered near Carlisle, Pennsylvania.

—

Com. *Henley*, commander of the West India squadron, died at Havana, on the 23d of May. His remains were sent in the sloop of war Vandalia to Pensacola. He had been indisposed for several months—but departed very suddenly.

GENERAL ORDER.

As a mark of respect to the memory of commodore *John D. Henley*, who died May 23d, on board the flag ship Vandalia, in the harbor of Havana, whilst in command of the United States naval force in the West Indies and Gulf of Mexico, you will cause the flags of the station and vessels of war under your command, to be hoisted half mast, and thirteen minute guns to be fired at 12 o'clock, M. on the day after the receipt of this order.

You will also direct the officers under your command to wear crape on the left arm for thirty days.

JOHN BOYLE, *acting secretary of the navy.*

—

A most afflicting casualty occurred at West Point on Monday, the 1st inst. says the N. Y. American. While two of the cadets were fencing together, the button of one of the foils broke in making a lunge, and the foil entered the eye and the brain of cadet *Carter*, of Va. He survived the wound only a few hours. The state of mind of his surviving friend, is almost bordering on distraction.

This is another warning to those which fencing schools have so often before furnished by similar catastrophes, *never to fence without the mask.*

—

Another story has been set afloat regarding the fate of Mrs. *Alston*, wife of governor Alston, of South Carolina, and daughter of col. Aaron Burr, who mysteriously disappeared, more than 20 years ago, while proceeding from New York to Charleston. It is now said—"From the

with a scrofulous disease which resisted all the ordinary efforts of medicine. After exhausting his means of support, and still lingering with what was called an incurable disease, he was taken to the Pennsylvania hospital. While here, he prepared a medicine, the use of which soon restored him to perfect health, with his constitution unimpaired. Having cured himself, Mr. *Swaim* commenced the preparation of his PANACEA for the benefit of others. It immediately acquired reputation in Philadelphia, and but a short time elapsed before the information of its healing virtues spread through the union. Soon, too, its fame crossed the Atlantic, and Mr. *Swaim* was solicited by the government of England, to proceed to London, (as he did) and administer his *panacea* to some of the members of the royal family. For the last twelve years, the reputation of this panacea has been rapidly extending. The amount sold is wholly unprecedented. The profits of the proprietor have been enormous. It is but a few months since we heard of Mr. *Swaim's* purchasing an entire and valuable block in the heart of the city. Now he appears as the purchaser of a splendid $100,000 hall. We frequently, and with great satisfaction, find his name associated with the charities of Philadelphia. Perhaps, in the history of the world, there is not an other instance of such an extraordinary change of destiny and of fortune—an instance where a man has been raised from extreme poverty and hopeless disease, to sound health and princely fortune! Mysterious indeed are the ways of a Providence which raised from his dying pallet in the Pennsylvania hospital, a patient upon whom the golden mantle of STEPHEN GIRARD seems to have fallen!

[*Albany Evening Journal.*

The *New York American*, in reply to certain things said in the official paper of "the government," says—

What, we would ask, has "the president's personal honor" to do with the subject—or how can it be touched by any decision on it? Let us analyze the matter a little:

By the constitution the president is required to submit to congress any suggestion he may deem expedient, touching the public interest. At the opening of the last congress, in conformity with usage he sent his annual message—and in that part of it, which treated on French affairs, he advised in a certain contingency, a resort to reprisals, as the best mode, in his judgment, of obtaining indemnity from France.

In this recommendation, there was no act implicating "personal honor" or character, but a mere compliance with a constitutional provision. It was an exercise of executive discretion—and as such—and not as a command which might not be either questioned, or disobeyed—the suggestion was received, considered, and *rejected by both houses of congress*. If the president's "honor" were at stake in this matter, it is the congress and people of the United States, and not the French chamber, that have called it in question. But there is no such thing, and it is only another evidence of how far we are already gone in the habit of considering great public questions as they may affect, agreeably or otherwise, the executive magistrate—and not upon their general merits, or upon their probable influence on the happiness or character of the people—that any one should have thought, in the discussion of such a question as this, of alluding to the personal feelings of the president. He did his duty as he understood it, in making the recommendation of reprisals. Congress did theirs, as they understood it, in rejecting this recommendation; neither party is held to be infallible, at home; and certainly the country is not desirous to plunge into difficulties with foreign nations to establish the infallibility of either, abroad.

With regard to the "explanation,"—not "apology," as the Globe, with its usual *ad captandum* unfairness parades in capitals—asked by the French chamber, we can see no difficulty whatever, if the will be not wanting, on our side. We admit that the French chamber—after voting the indemnity on the ground that it was just, and that the language of the president's message was not, as was successfully pressed by the French ministers, addressed to France, and could not, therefore, be justly viewed as intentionally offensive to the nation—were not consistent with themselves, in still insisting upon an explanation of his language; but having done so—what more natural—what more usual, even among high spirited individuals, and *a fortiori*, what more proper, between governments, which are impersonalities, than to disclaim, on our part, any purpose of offence, when, in truth, none such was entertained.

The following interesting law case is copied from the Boston *Atlas*—

U. S. circuit court, *May* 25, 1835. The four English seamen, Brown, Bryant, Owen, and Wilkinson, found guilty, on Friday last, of a revolt, or refusal to do duty, on board the whale barque Franklin, were brought up this morning to receive sentence. On being asked by judge Story what they had to say for themselves, they all rose successively, and in simple, but emphatic language, described the brutal manner in which they had been treated by the captain. Two of them delivered themselves in terms at once copious and correct, and their defence seemed to have a considerable effect upon the court and audience. When they had concluded, judge Story remarked he had been struck, throughout the case, with the improper and brutal conduct of the captain; but the prisoners had done wrong in taking the law into their own hands, and the jury had consequently done right in convicting them. It was important for them and other seamen now to understand that the law had redress for them and would redress them on their arrival in port, until which time they ought in all cases to remain quiet and proceed with their duty. The learned judge strongly censured the conduct of the captain in knocking down Wilkinson at the helm, thus leaving the vessel at the mercy of the waves and endangering the safety of all on board. He repeated that the prisoners had done wrong in acting as they had, but said he would not punish men extravagantly who had been driven to the commission of offences by the bad conduct of their officers. He should sentence them to 7 days imprisonment and to pay a fine of $1 each.

The prisoners appeared grateful for the lenity with which they were treated; but after consulting a little together, one of them exclaimed:—"But y'r honor, what are we to do about that dollar; we've got no money." A subscription was immediately entered into by the gentlemen of the bar, and the amount of the fine raised in a few moments. Judge Story expressed his gratification at what he saw, and suggested to the district attorney (Mr. Mills) to remit the fine altogether, telling him that this had been in some cases the course of his predecessors. The district attorney expressed his willingness, to follow such an example, particularly in this case, and the fine was remitted.

THE EARTHQUAKE. The distressing intelligence from Chili of the destruction of the country around the city of Conception produced great sensation in this town and vicinity. Talcahuana, the port of Conception, which has been entirely destroyed, was the place where many of the whaling ships in the Pacific ocean have repaired and recruited; and the loss of the privileges which the port afforded is very great.

It was rumored there, during the first week in March, that another mountain had burst forth in volcanic fury. The Andes and Cordilleras, now present numerous active volcanoes from Cape Horn to Mexico. And it is stated in Blackwell's Geology, that the whole range, in all probability, owe their elevation to subterranean fire; for we have recent instances of the mighty power of this agent to upheave the crust of the globe. During the earthquake in Chili in November, 1822, the whole line of coast running north and south from Valparaiso to the distance of one hundred miles, was raised above its former level; and the bottom of the sea was laid dry, and shells were discovered sticking to the rocks, some of which were not before known to exist in those seas. It is stated by an observer that the whole country from the coast to the foot of the Andes, and even far out to sea, was permanently raised by the earthquake; the greatest rise was about two miles from the shore. The earthquake was estimated to have extended over an area of one hundred thousand miles. The average rise of the land upon the coast was from two to five feet, at a distance of a mile from the shore; inland the elevation was seven feet. Such were the effects of the earthquake in 1822—but perhaps quite incomparable with those of the one in 1835. [*New Bedford Gazette.*

The New Bedford Mercury states that several weeks previous to the first shock of the late destructive earthquake at Conception, two large volcanoes burst out on the southern ridge of the range of mountains known by the name of the "Corderillies," and at the last accounts continued to emit large volumes of smoke and lava, to the terror of the inhabitants of the neighboring provinces. The destruction of towns and villages extended sixty miles in the interior.

With respect to that bold measure, the emancipation of the slaves in the British West Indies, we have the following contradictory statements:

In the house of lords, March 17, the earl of Mulgrave holds the following language:—"those who were most sanguine of the success of that measure, (the emancipation of the negroes) stated that they would take the first crop as a criterion whether or not that portion of labor under the apprentice system and the additional hours given to the laborer, secured a sufficiency of labor for the cultivation of sugar. He was happy to state, *from the sources of intelligence which he possessed, in fact from all quarters, he understood that in almost every place, without exception, sufficient labor was afforded to enable them to carry on the cultivation of sugar.*" The hon. William Miller, custos of the parish of Trelawny, in Jamaica, in his address, at a recent meeting of proprietors, planters, and others concerned in the management of plantations in that parish, stated:—"That he travelled lately from St. Mary's round the west end of the island, and paid most particular attention to the state of cultivation of the sugar estates and other plantations. As far as his observation went, he found the cultivation generally neglected

statement of a respectable merchant of Mobile, that a man died in that city recently, who confessed to his physician on his dying bed, that he had been a pirate and helped to destroy the vessel and all the crew and passengers, in which Mrs. Alston had embarked for New York. He declared, says this gentleman, that after the men were all killed, there was an unwillingness on the part of every pirate to taking the life of Mrs. Alston, who had not resisted them or fought them, and therefore they drew lots who should perform the deed, as it had to be done.

"The lot fell on this pirate, who declares that he effected his object of putting the lady to death, by laying a plank along the edge of the ship, half on it and half off, or over the edge, and made Mrs. Alston walk on that plank till it tilted over into the water with her. The dying pirate requested his physician to make this story public, but his surviving family will not permit or consent that the name of the deceased should be known."

We have certainly heard something very much like this—several years ago.

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When the dispute between *Ohio* and *Michigan* is settled, it will be well to have a reference to future disputes between *Indiana* and *Illinois*, and *Michigan*—which will certainly arise, if not prevented; and all this should be adjusted before the latter is admitted into the union.

The following is an extract from the memorial of the legislative council of Michigan to the President of the United States, as lately published in the *Globe:*

"We do not at this time present for consideration our claims connected with the boundaries of Indiana and Illinois. *They will be brought forward at a future day*, and under different circumstances. But those cases furnish no parallel for the proceedings of the state of Ohio. Congress, by its own authority, enlarged their territorial extent. We contend that such enlargement was invalid, because conflicting with the irrepealable articles of compact. But those states hold under the acts admitting them into the union. They have always possessed jurisdiction over the country; and if we are ever to obtain possession of it, it must be by judicial decision, or by commissioners already, or to be hereafter appointed."

—

The *Albany Argus* says—

From the opening of navigation to the close of May, six weeks, there has been received for tolls, by the collector at Albany, the sum of $103,095 90. In 1833, the amount received during the first six weeks after navigation commenced was $98,300; and at that time the rate of toll on merchandise was 25 per cent. higher than at this time.

In 1834, when the rates of toll on merchandise were the same as at present, the amount received at Albany from the opening of navigation to the close of May, was $60,513 82; being less than the collections at the same office for this year, by the sum of $42,582. The canal opened two days earlier in 1835 than in 1834.

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Collector's office, Utica, June 1.

Sir: From the 22d to the 31st May, the following, among other property, has passed, been cleared from, and left at this place, on the Erie canal, viz:

40,255 barrels flour, 2,115 do. ashes, 4,073 do. provisions, 30,993 bushels wheat, 10,356 do. coarse grain, 51,054 gallons domestic spirits, 3,590,276 feet lumber, 107,024 do. timber, 727,155 staves.

Amount of tolls on clearances, passing and issued from this office during the same period, $53,876 60. Respectfully, your obedient servant, THOMAS M. FRANCIS.

—

Wool, at Washington, Penn. 56@57 cents—seven-eighths to full blood.

—

Violent hail storms have recently happened in Maryland and Virginia. In the latter, it is said, that in the county of Fluvanna, several lumps of ice were picked up, and measured in circumference nine inches, after being carried six miles. Cloud passing from N. E. to S. W.

—

The deposites of gold for coinage, in the last month, amounted to only 58,900 dollars. But the amount coined was 293,620, and there remained for coinage $221,035.

Where is the gold that has been coined? We see none of it. It is not "*current* money!"

—

The legislature of *New Hampshire* is now in session.

It appears that better times are coming. A violent attempt was made to oust *Arthur W. Austin* from the post office at Charlestown, Massachusetts, which failed—though earnestly supported by the "Boston junto," and others, at various places. Mr. Austin has made a little book about this matter, and says—

"A word as to the office I hold. I came into it fairly. I do not hold it as the reward of political partisanship. I never shall hold it on such terms. The public have dealt generously by me. I do not intend to neglect their interests. I have proceeded in this business with a view to the public benefit. I intended not my own preservation merely. That of course was my duty. I deemed it no less a duty to expose the machinery employed, the dark and devious paths pursued by political hyænas* to destroy all who will not worship at their shrine. These individuals are known. Their selfish schemes, their personal plans of aggrandizement, their denunciations of all who distrust them, of all who by any possibility could cross their paths, *are known*. Their names are no longer talismans at Washington. Their influence has departed.

"What is evident, it is superfluous to prove. Every sagacious reader will perceive the insignificance of the Charlestown complainants. In their most extravagant moments of self exaltation, they had not the presumption to suppose their representations could effect the object desired. Encouraged and instigated by the *Boston junto*, they thought success certain. In the first, they depended upon the endorsement of Henshaw. In their extremity, John K. Simpson appears. The impertinent interference of the Boston office holders, and their patent machinery, which in many cases has successfully operated, is exposed.

"I said, public considerations have influenced me in my course. It is believed that other individuals, holding office in this country under the postmaster general, are the subjects of plots similar to the one developed. All are liable to them. It is hoped the exposure of the names of those engaged in such secret machinations will arrest these assassin-like attacks. That is one object of the present publication."

And the *Alabama Journal* says—

"We have this moment been informed by two gentlemen of high standing in Georgia, with whom we have long been acquainted, that general Jackson has positively refused to approve any contract lately made with the Indians, believing as he does that the whole, or nearly the whole of the contracts for land, are fraudulent. Both of the gentlemen saw and conversed with Mr. Dougherty, who went to see the president on the subject, and to furnish him with the evidence of the impositions practised on the Indians by the process of personating, &c. Mr. Dougherty is the person alluded to in the Journal some time since, as having written to us for the evidence in our possession to prove the fraud on the Indians. Thousands of honest men will heartily thank general Jackson for his interference to put down one of the most extensive frauds this country has ever witnessed. The general never performed a more acceptable act to the people of this part of the country than his refusal henceforward to approve any contract whatever with the Indians for their lands. He sends an agent shortly to look into each case of fraud. *We hope he will be able to get to the nation without being bribed himself, as that will be attempted, it is thought.*"

—

We understand that *Jonathan Knight*, esq. chief engineer of the Baltimore and Ohio rail road, who is now engaged in the reconnoitering the mountain region, between Cumberland and Wheeling, writes—that he has discovered three passes over the Alleghanies, with an ascent of ninety-four feet in a mile—an elevation that our *Baltimore* locomotives will overcome, without any sort of difficulty.

The coal lands in the neighborhood of Cumberland have exceedingly advanced in price.

—

A gore lot on the corner of William and Platt streets, New York, being seven feet six inches on William, and one hundred and seventy-one feet on Platt street, was sold yesterday by the Messrs. Bleeckers for $37,400.

The beautiful country seat of Henry Pratt, at Lemon Hill, near Philadelphia, has been sold by that gentleman for $180,000.

The ground on which the prison stands, at the corner of Walnut and Sixth streets, Philadelphia, was sold on Tuesday last, at auction, for $219,099, or at the rate of $1,101 per foot. John Moss, esq. was the purchaser.

The Philadelphia arcade sold last week for $119,000. The Masonic Hall, Chesnut street, with the glass-works, for $110,550, to Mr. Swaim.

Fortune has dealt most capriciously with the individual who has become the owner of this $100,000 hall. Some fifteen, or certainly within twenty years, Mr. *Swaim*, then a journeyman book binder, was afflicted

* What a hard word! But many such there are.

with a scrofulous disease which resisted all the ordinary efforts of medicine. After exhausting his means of support, and still lingering with what was called an incurable disease, he was taken to the Pennsylvania hospital. While there, he prepared a medicine, the use of which soon restored him to perfect health, with his constitution unimpaired. Having cured himself, Mr. *Swaim* commenced the preparation of his PANACEA for the benefit of others. It immediately acquired reputation in Philadelphia, and but a short time elapsed before the information of its healing virtues spread through the union. Soon, too, its fame crossed the Atlantic, and Mr. *Swaim* was solicited by the government of England, to proceed to London, (as he did) and administer his *panacea* to some of the members of the royal family. For the last twelve years, the reputation of this panacea has been rapidly extending. The amount sold is wholly unprecedented. The profits of the proprietor have been enormous. It is but a few months since we heard of Mr. *Swaim's* purchasing an entire and valuable block in the heart of the city. Now he appears as the purchaser of a splendid $100,000 hall. We frequently, and with great satisfaction, find his name associated with the charities of Philadelphia. Perhaps, in the history of the world, there is not an other instance of such an extraordinary change of destiny and of fortune—an instance where a man has been raised from extreme poverty and hopeless disease, to sound health and princely fortune! Mysterious indeed are the ways of a Providence which raised from his dying pallet in the Pennsylvania hospital, a patient upon whom the golden mantle of STEPHEN GIRARD seems to have fallen!

[*Albany Evening Journal.*

The *New York American*, in reply to certain things said in the official paper of "the government," says—

What, we would ask, has "the president's personal honor" to do with the subject—or how can it be touched by any decision on it? Let us analyze the matter a little:

By the constitution the president is required to submit to congress any suggestion he may deem expedient, touching the public interest. At the opening of the last congress, in conformity with usage he sent his annual message—and in that part of it, which treated on French affairs, he advised in a certain contingency, a resort to reprisals, as the best mode, in his judgment, of obtaining indemnity from France.

In this recommendation, there was no act implicating "personal honor" or character, but a mere compliance with a constitutional provision. It was an exercise of executive discretion—and as such—and not as a command which might not be either questioned, or disobeyed—the suggestion was received, considered, and *rejected by both houses of congress*. If the president's "honor" were at stake in this matter, it is the congress and people of the United States, and not the French chamber, that have called it in question. But there is no such thing, and it is only another evidence of how far we are already gone in the habit of considering great public questions as they may affect, agreeably or otherwise, the executive magistrate—and not upon their general merits, or upon their probable influence on the happiness or character of the people—that any one should have thought, in the discussion of such a question as this, of alluding to the personal feelings of the president. He did his duty as he understood it, in making the recommendation of reprisals. Congress did theirs, as they understood it, in rejecting this recommendation; neither party is held to be infallible, at home; and certainly the country is not desirous to plunge into difficulties with foreign nations to establish the infallibility of either, abroad.

With regard to the "explanation,"—not "apology," as the Globe, with its usual *ad captandum* unfairness parades in capitals—asked by the French chamber, we can see no difficulty whatever, if the will be not wanting, on our side. We admit that the French chamber—after voting the indemnity on the ground that it was just, and that the language of the president's message was not, as was successfully pressed by the French ministers, addressed to France, and could not, therefore, be justly viewed as intentionally offensive to the nation—were not consistent with themselves, in still insisting upon an explanation of his language; but having done so—what more natural—what more usual, even among high spirited individuals, and *a fortiori*, what more proper, between governments, which are impersonalities, than to disclaim, on our part, any purpose of offence, when, in truth, none such was entertained.

The following interesting law case is copied from the Boston *Atlas*—

U. S. circuit court, May 25, 1835. The four English seamen, Brown, Bryant, Owen, and Wilkinson, found guilty, on Friday last, of a revolt, or refusal to do duty, on board the whale barque Franklin, were brought up this morning to receive sentence. On being asked by judge Story what they had to say for themselves, they all rose successively, and in simple, but emphatic language, described the brutal manner in which they had been treated by the captain. Two of them delivered themselves in terms at once copious and correct, and their defence seemed to have a considerable effect upon the court and audience. When they had concluded, judge Story remarked he had been struck, throughout the case, with the improper and brutal conduct of the captain; but the prisoners had done wrong in taking the law into their own hands, and the jury had consequently done right in convicting them. It was important for them and other seamen now to understand that the law had redress for them and would redress them on their arrival in port, until which time they ought in all cases to remain quiet and proceed with their duty. The learned judge strongly censured the conduct of the captain in knocking down Wilkinson at the helm, thus leaving the vessel at the mercy of the waves and endangering the safety of all on board. He repeated that the prisoners had done wrong in acting as they had, but said he would not punish men extravagantly who had been driven to the commission of offences by the bad conduct of their officers. He should sentence them to 7 days imprisonment and to pay a fine of $1 each.

The prisoners appeared grateful for the lenity with which they were treated; but after consulting a little together, one of them exclaimed:—"But y'r honor, what are we to do about that dollar; we've got no money." A subscription was immediately entered into by the gentlemen of the bar, and the amount of the fine raised in a few moments. Judge Story expressed his gratification at what he saw, and suggested to the district attorney (Mr. Mills) to remit the fine altogether, telling him that this had been in some cases the course of his predecessors. The district attorney expressed his willingness, to follow such an example, particularly in this case, and the fine was remitted.

THE EARTHQUAKE. The distressing intelligence from Chili of the destruction of the country around the city of Conception produced great sensation in this town and vicinity. Talcahuana, the port of Conception, which has been entirely destroyed, was the place where many of the whaling ships in the Pacific ocean have repaired and recruited; and the loss of the privileges which the port afforded is very great.

It was rumored there, during the first week in March, that another mountain had burst forth in volcanic fury. The Andes and Cordilleras, now present numerous active volcanoes from Cape Horn to Mexico. And it is stated in Blackwell's Geology, that the whole range, in all probability, owe their elevation to subteraneau fire; for we have recent instances of the mighty power of this agent to upheave the crust of the globe. During the earthquake in Chili in November, 1822, the whole line of coast running north and south from Valparaiso to the distance of one hundred miles, was raised above its former level; and the bottom of the sea was laid dry, and shells were discovered sticking to the rocks, some of which were not before known to exist in those seas. It is stated by an observer that the whole country from the coast to the foot of the Andes, and even far out to sea, was permanently raised by the earthquake; the greatest rise was about two miles from the shore. The earthquake was estimated to have extended over an area of one hundred thousand miles. The average rise of the land upon the coast was from two to five feet, at a distance of a mile from the shore; inland the elevation was seven feet. Such were the effects of the earthquake in 1822—but perhaps quite incomparable with those of the one in 1835. [*New Bedford Gazette.*

The New Bedford Mercury states that several weeks previous to the first shock of the late destructive earthquake at Conception, two large volcanoes burst out on the southern ridge of the range of mountains known by the name of the "Corderillies," and at the last accounts continued to emit large volumes of smoke and lava, to the terror of the inhabitants of the neighboring provinces. The destruction of towns and villages extended sixty miles in the interior.

With respect to that bold measure, the emancipation of the slaves in the British West Indies, we have the following contradictory statements:

In the house of lords, March 17, the earl of Mulgrave holds the following language:—"those who were most sanguine of the success of that measure, (the emancipation of the negroes) stated that they would take the first crop as a criterion whether or not that portion of labor under the apprentice system and the additional hours given to the laborer, secured a sufficiency of labor for the cultivation of sugar. He was happy to state, *from the sources of intelligence which he possessed, in fact from all quarters, he understood that in almost every place, without exception, sufficient labor was afforded to enable them to carry on the cultivation of sugar.*" The hon. William Miller, custos of the parish of Trelawny, in Jamaica, in his address, at a recent meeting of proprietors, planters, and others concerned in the management of plantations in that parish, stated:—"That he travelled lately from St. Mary's round the west end of the island, and paid most particular attention to the state of cultivation of the sugar estates and other plantations. As far as his observation went, he found the cultivation generally neglected

—the usual plant had not been put in, or the ratoon canes cleaned—in many places the cane-fields were irrecoverably run over with weeds, and the pastures also neglected. *From notes which he had taken, and conversations had with experienced practical men, on different properties, he found them all to concur with him as to the miserable state of cultivation.*"

It is added—that the present crop will be short, and that a general relinquishment of the cultivation of the cane must be looked for, unless by the introduction of white emigrants.

It has been proposed to colonize the whole interior of the island by white emigrants, first dividing it into townships of convenient size. The climate of the interior is represented as being in a high degree salubrious, and the soil capable of yielding an abundant increase. It is said to be peculiarly adapted to the cultivation of coffee. The proprietors are sensible that colonization upon so extensive a plan cannot be effected without the aid of Great Britain. Accordingly, at the late public meeting of proprietors, &c. in the parish of Trelawny, it was resolved, that a memorial be addressed to the governor, imploring him to lay before his majesty's ministers the present state of the island, the apprehensions of the proprietors as to their security, and "to solicit the aid of the mother country to promote an object (emigration) so necessary to secure the safety and tranquillity of all classes of his majesty's subjects in this island, and to afford the most likely means of continuing, though on a much smaller scale than hitherto, the cultivation of the staple products which yield so large a revenue to Great Britain." See page 259.

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There are now said to be *fifty thousand* emigrants from the United States, in Texas, and that the number will be doubled, in the present year! Many persons of great respectability and wealth are proceeding thither. A Mexican cruiser, the schooner Montezuma, had stationed herself in Galvestown bay, and, on very frivolous pretences, embarrassed and robbed the emigrants.

The commander of the Montezuma is a pirate, who just escaped hanging at New Orleans.

One of the accounts says—

We feel confident that all the power of Mexico could not oblige a single North American to pay a cent of duty, or to leave the country or prevent others from coming in. The truth is, and they know it, that we can in one month after the landing in Texas of 5,000 troops, extinguish the whole of them, and think it only a pleasant and agreeable shooting excursion. The excitement on account of the late outrages, is very strong among the people, and the spirit of the country is up and stirring. Resolutions have been entered into by the citizens of Anahuac, under the very nose of the governor, not to pay any duty, except tonnage, on any article imported. The collector was so frightened that he left the country for Mexico, and he says if ever he comes back as collector, it must be with a regiment of Mexican soldiers and a sloop of war, to enable him to collect the duties.

—

General *Rosas* has been elected governor of Buenos Ayres—for him 9,316, against him 4. And yet a conspiracy to murder him, was discovered a few days after!

There exists difficulties in the interior provinces.

The following particulars of the assassination of general Latorre, former governor of Salta, are contained in a letter from Santiago del Estero, to a gentleman in Buenos Ayres:

That general Latorre had been vanquished, wounded, and a prisoner—the consequences of a combat he had sustained with the troops of Jujui on 13th December: but that on the 29th of the same month, in the middle of the night, he was vilely murdered in prison, and on his very bed. That his death was decreed at a dance of Hottentots, and the same men who gave notice to the authority of their having assassinated him, figured in a revolution, shouting *vice Latorre*—which was the pretext for sacrificing that worthy patriot.

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The plague rages dreadfully in Egypt. From 200 to 210 died of it daily at Alexandria. Many ships had hastily abandoned the port. Mehemet Ali had taken strong measures to arrest the disease—much against the wishes of the women and priests—who believe in destiny.

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THE CHOLERA. A young man named Cooper, was landed in Maysville, from a steamboat just from New Orleans, on Friday morning, and left shortly after, in apparently good health, for his father's residence near Williamsburg. He proceeded on foot until he reached the residence of Mr. Henley McDaniel, about two miles from this city, when he was suddenly and violently attacked with the *cholera*, which terminated fatally in a few hours. On Sunday night, about 10 o'clock, Mrs. *McDaniel*, the consort of Mr. Henley McDaniel, was attacked with the same disease, and died about 11 o'clock on Monday. There has, thus far, been no case in this city, nor have any other cases, *to our knowledge*, occurred in the neighborhood. The recent heavy and successive rains, and the uncommon luxuriance of vegetation, render it very probable, unless extraordinary precaution is used, that the cholera will again overrun the country.

The disease was prevailing with great violence at New Orleans, at the latest advices—and had made its appearance in many of the towns on the Mississippi.

[*Maysville Eagle, June 4.*

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Some years since, Mr. Joseph Wood, of Trenton, N. J. heroically saved the life of a son of Mr. Jones, of England, who had fallen into the Delaware from a steamboat. The grateful parents of the child long pressed munificent rewards upon Mr. Wood, but he invariably declined their presents, satisfied with the consciousness of having done a noble deed. Mr. Jones recently died, since which event Mr. Wood has received due notice, from the agent of Mr. Jones in this country, that he has thus become, by the will of the deceased, heir to *twenty-seven thousand pounds sterling*. [*Sun.*

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The practice of shipping powder under deceptive marks, has not, it would seem, ceased, although the public voice has strongly censured it, and, in some instances, the names of those concerned have been published. As the only means of putting a stop to the deception, we notice a flagrant instance which was discovered in an examination of part of the cargo of the steamboat Iowa, damaged below St. Charles a few days ago. Amongst these goods was a cask distinctly marked "*Laguayra coffee*," which from the absence of the usual appearance of coffee in a wet condition, one of the agents was induced to examine. When opened, the cask was found to contain indeed some coffee, but it also had six kegs of powder—and it was evident that the coffee was placed there only to cover the fraud. The name of the house by which the deception was practised, has not been furnished us, the cask was marked for an establishment in Franklin, Mo. This house had, it is understood, several thousand dollars worth of goods on board the Iowa; yet to save a little extra freight, or perhaps, expedite the transmission of a few kegs of powder, *this amount of property, the boat, and the lives of all on it, was, strange to say, wilfully endangered.* Every one who was privy to the fraud, deserves the severest reprehension.

[*St. Louis Rep.*

[If the owners of boats would pledge themselves not to carry *any* goods for persons using such deceptions—they would soon cease; for it would become general.]

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From the New York American.

MR. EDITOR: I have heard, more than once, an anecdote, which at the present moment is of considerable interest. At the time of the occupation of Paris by the allied troops, and when indemnities were settled without much formal negotiation on the part of the French, it is said that lord *Wellington* intimated to the then American minister at the court of St. Cloud, that he would be happy to support, with his immediate influence, (which was then potential) the claim of our people against the French, for spoliations of our commerce. Mr. *Crawford*, then the American minister, replied with courtesy, that he had no doubt of the justice and integrity of the French character, and that ultimately our demands would be liquidated; but that he could not think, at the moment when the French nation were overwhelmed with misfortune, of pressing these claims upon their immediate attention. This conduct, if the anecdote is true, speaks well to our national sympathies and magnanimity. Mr. Crawford is now no more, and we cannot ascertain from him its truth; but perhaps some of the readers of your journal may be able, in some way, to confirm a circumstance so honorable and so striking in its character.

I am, yours, &c. A. B.

We have heard something of this before, and would be glad to have it authenticated, if any of our readers can afford us evidence on the subject.

[*Ed. N. Y. Am.*

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INDIA RUBBER MANUFACTURING COMPANIES. There are six India rubber manufacturing companies chartered by the legislature of Massachusetts. The first "The Roxbury," was incorporated in 1833. The persons named in the act are Lemuel Blake, Luke Baldwin, Edward M. Chaffee, and Charles Davis, jr. Location specified, county of Norfolk. May hold real estate five thousand and personal twenty-five thousand. At

the session of '34, the company was empowered to hold real estate eighty thousand and personal estate one hundred and sixty, which power was again extended at the last session of the legislature to one hundred thousand of real, and two hundred thousand of personal.

The other five were incorporated at the last session, and are as follows:

"*Boston and Lynn.*" Persons named in the act, Charles C. Nichols, Thomas Whitmarsh, and Benjamin Freeman. Location specified, town of Lynn. May hold real estate fifty thousand, personal estate one hundred and fifty thousand.

"*Boston.*" Persons named in the act, Ezra Eaton, Frederick Gould and James Morrill. Location specified, county of Norfolk or county of Suffolk. May hold real estate twenty thousand, personal estate eighty thousand.

"*New England.*" Persons named in the act, Wm. Butters, Joshua C. Bates, Benjamin Clark and Nathan Richardson. Location, county of Norfolk. May hold real estate twenty thousand, personal estate fifty thousand.

"*South Boston.*" Persons named in the act, Seth J. Thomas, Ebenezer Stevens and Josiah Dunham, jr. Location specified, city of Boston. May hold real estate twenty thousand, personal estate thirty thousand.

"*Suffolk.*" Persons named in the act, Jas. W. Paige, James Andrews, E. Haskett Derby and Caleb Pratt. Location, county of Suffolk. May hold real estate fifty thousand, personal estate one hundred thousand. [*Transcript.*

[Here are six companies with a capital that may amount to 870,000 dollars, interested in the manufacture of "India rubber!"]

FOREIGN NEWS.

London papers of the 30th April.

The state of things at Paris, as to the American indemnity, seems still involved in difficulties—but we cannot clearly understand the *why* or *wherefore* of them.

We had thought that the ministers accepted the amendment of M. Valaze, in the spirit of peace, and as being a matter of no importance whatever—to quiet the spirit of the opposition and cause the passage of a bill so much desired by the king: but it appears that some advantage will be taken of it, to brew new troubles, if possible. In this we think that a disappointment will follow.

A letter to the editor of the New York Courier, dated the 19th April, says—

At the close of yesterday's sitting of the chamber of deputies, the American question was finally disposed of, the law having passed in the terms agreed to by the government, by a majority of 269 to 137. As finally passed however, the first articles of the law includes an amendment proposed by general Valaze, and adopted by ministers, almost identical with that of M. Leyraud, which had been rejected at a previous period of the sitting. The articles stands finally as follows:

The minister of finance is authorised to take the necessary measures for the execution of the 1st and 2d articles of the treaty signed on the 4th of July, 1831, between the king of the French and the United States, the ratifications of which were exchanged at Washington on the 2d February, 1832, according to which a sum of 25,000,000 is payable by France.

"The payments to be made in execution of the present law cannot take place until the French government shall have received satisfactory explanations on the subject of the message of the president of the union, dated 2d December, 1834."

The same official paper, the Journal des Debats of the morning, contains a prominent leading article which I shall content myself with quoting another observation.

"One word before concluding. Mr. Livingston was to have quitted France with all his legation, if the treaty was not adopted. It is now adopted by the chamber of deputies and will soon be, we hope, by the chamber of peers. Perhaps however Mr. Livingston will still think it necessary to go to render an account in person to his government of all that has passed, in order that he may not again expose himself to the inconvenience of having his correspondence published. Perhaps, also, the American government will think it right not to send him back to France, in order to spare her the inevitable embarrassment which Mr. Livingston must experience at Paris, after the written expressions attributed to him in the course of the debate. We do not blame the American government for having given so complete and so prompt a publicity to Mr. Livingston's letter. Perhaps it was demanded by the forms and practice of her institutions; but such a publicity must often have the effect to make the sacrifice of individual negotiators indispensable, it being impossible to require that a negotiator, who has spoken publicly ill of the country to which he is accredited, should continue to be well received in the country he has offended. These are the reasons which induce us to look upon the longer stay of Mr. Livingston, in Paris, as very difficult, and his return as very uncertain."

The *Constitutionnel* of the 20th April remarks that Mr. Livingston appears destined to pay the cost of the making up of the quarrel between France and the United States. No sooner was the discussion closed, than the *Journal des Debats* signified to him that he was ill placed at Paris, and that he would find himself really embarrassed, after having publicly spoken ill of France, and in the most persuasive tone, urged him promptly to retire, and not to return. Mr. Livingston might, probably, have turned a deaf ear to his counsel if a powerful auxiliary had not come to the succor of the doctrinary repugnance. The government of the United States instructed its minister to retire either to England or Holland immediately after the vote of the bill, and to resign his powers to Mr. Barton. Our cabinet therefore, may make a show of energy without peril, and boldly demand the removal of a man who, probably, made his preparations for departure immediately after the sitting of Saturday. All this is wretched. If the reparation required by our cabinet is to stop here, the chamber will have cause to regret having assigned the care of French honor to the keeping of a ministry so easy to satisfy. We agree with the *Debats*, that, after what has passed, that the cabinet cannot continue its relations with Mr. Livingston, but the country requires a more signal satisfaction than the equivocal disgrace of an ambassador. After all, Mr. Livingston has only done his task as a diplomatist, and his duty as an American, and we could, perhaps, find more than one mealy-mouthed ambassador, who stands well at court, that might be convicted of more irreverential disdain of the French government than the frank language of Mr. Livingston. The insult to France is not in the confidential letters themselves but in the publication of them by the president, and still more in the president's message. When he insulted and threatened, it was the American nation speaking by his mouth; and the calculated silence of congress was neither a retraction nor a reparation. It is, therefore, from the government of the United States, in the person of its president, that satisfaction ought to be obtained. Such is the intention of the amendment adopted by the chamber. Assuredly, the part our cabinet has to act is easy. With such a government as that of the United States, which prize money so much, thirty millions will lead to many sacrifices of *amour propre*.

The *Quotidienne* (violent opposition Carlist) of the 20th April, begs pardon of the country for having entertained so good an opinion of the chamber, as to imagine that the majority for the adoption of the bill would not be so great as that for the rejection of M. Bignon's amendment. Gen. Valaze's amendment was adopted for form's sake, but now the money is voted, can it be supposed that a government like that of America, will refuse explanations? Besides, it knows with what a government it has to do, and it will give these explanations, without doubt, in terms agreed upon and prepared beforehand. It knows that the cabinet of the palais royal is not difficult. If the American government had the least generosity, it would not explain at all; this would be a fresh insult that it might spare us. For what can it say? That it is sorry for the slap of the face that president Jackson has given to France. We would rather that the Americans should take the money we do not owe them without saying a word.

The New York American, after discrediting the assertion attributed by the French opposition papers to Mr. Livingston, that his return to Washington would be the signal of hostilities, adds: "It must not be disguised, however, from our readers, that *Mr. Livingston*, as we have from private but authentic sources, the certain assurance—considers the proviso in question, *so nearly tantamount to a rejection of the indemnity*, that he feels himself bound by the spirit of his instructions to return in the Constitution to the United States—which frigate therefore may be hourly looked for."

On the other hand, the French ministers are desirous to avert all difficulty, as the following extract from a letter, written by a gentleman who is not at all likely to be mistaken, will show:

Extract of a letter from Paris, dated April 22d, 1835. "The departure of Mr. Livingston for America will doubtless occasion much speculation. I can give you the positive assurance, however, as received from M. de Broglie through my friend M. Jay and others, that ministers attach not the slightest importance to the amendment of which you will hear so much. They are (said M. de Broglie) perfectly satisfied with the explanations already given by Mr. Livingston, and they propose submitting an amicable note *at Washington*, inviting the U. States government to confirm these explanations.

"It is simply to comply with the decision of the chamber as imposed on them, for the purpose of protecting them before the chamber. Mr. Livingston, however, takes a *very different view* of the case."

[We do not believe that Mr. *Livingston* has suffered his views of this matter to come before the public. He is too wise a man, and prudent a diplomatist for that.]

Some of the papers state that the king of France intended to send out general Bernard, on a confidential mission to the American government.

The *National* of April 28, says—

"Several journals have announced that the American indemnity bill would be brought to the chamber of peers without the amendment of general Valaze. To-day it was presented to that chamber, and the minister boldly asserted that the amendment of the deputies was the expression of his own feelings on the subject. 'Never,' said he, 'should we have thought of paying twenty-five millions to America, without having previously obtained some satisfaction for the words and manner in which the claim was made, however founded it may otherwise be.'"

A letter to the New York Commercial Advertiser observes—

The strong reasons for wishing to avoid that calamity, [war with the United States] on the part of France, would incline her government to listen to explanations, if not the most humble in character—such as could not compromise the honor or dignity of the United States—and if made in a proper spirit, and

through no offensive medium, there would be no difficulty in restoring harmony, and maintaining intercourse, between the two nations. I have no desire to attach blame to the president, for the language of his message relative to the conduct of France. But believing, as I have ever since the present session of the chamber was commenced, that the French government would fulfil the treaty, in good faith, I have regarded that language as hasty and unnecessary as it has proved unfortunate.

I was gratified in witnessing the interesting decision of the question, in the chamber of deputies. All seemed in a mood to congratulate one another upon the happy termination of an angry dispute growing out of a misunderstanding. But while writing this letter, I learn, that Mr. Livingston views it otherwise; that he regards the passage of the bill *as amended*, as a rejection of the treaty—and is preparing to leave Paris and embark for the United States on Saturday next, in the frigate Constitution, now lying off Havre. This determination of Mr. Livingston has "come over us like a summer cloud;" but excites no "special wonder."

The ill advised publication of his letters to his own government—so needlessly spread before the world—had impaired his influence at the French court, and rendered his residence here unpleasant. He was not willing (as he wrote to Mr. Forsyth) to be made "the scape-goat for the sins" of the French ministers; and he goes home under a construction which he chooses to give to the late act of the chamber. This course of Mr. L. gives a different aspect to the affair, dimming the prospect of peace—and he should be quite clear as to his duty, in view of the consequences that may result. In the last received letter from his government, Mr. Livingston is directed, in case the appropriation bill be rejected by the French chamber, forthwith to quit the territory of France, with all the legation, and return to the United States by the ship of war sent to Havre for that purpose;—but if the appropriation be made, Mr. L. might retire to England or Holland, and await farther instructions. The bill has not been rejected, but passed; yet Mr. L. considers the condition on which the treaty is to be carried into effect, as bad as a rejection; and instead of a temporary absence in another country, while explanations might be made, goes home, closing the door against any early reconciliation. Mr. L. should be quite certain he is right, before coming to this decision. Had he left Paris when his passports were tendered to him, on the recall of M. Serrurier, he would have saved the vantage ground which seems to have been lost by his remaining. The whole affair, from the conclusion of the treaty to the present extraordinary position in which the two governments are placed, has been most unfortunately conducted—and if an unnatural and destructive war shall follow, where will the responsibility rest?

The London Morning Herald remarks—"We are far from asserting that a war between France and the United States is impossible; but we run little risk in questioning that the measures alluded to originated in a belief that such a contest would positively arise. We only notice the facts in order to express our conviction that there is nothing in them that ought to suggest fears for an immediate rupture."

Com. *Elliott* left Paris on the 22d for Havre, and the Constitution sailed for Cherbourg, paying the customary salute. It was stated that she would proceed to Spithead, (England), to obtain supplies, return to Havre, and then proceed to New York, with Mr. Livingston.

We believe that the preceding contains all that bears on the subject. Mr. *Livingston* will soon return home—and we shall understand clearly how things are. We have but little faith in such rumors and reports, depending chiefly on the speculations of the press. The following, however, appears more in point.

In the debate on the 17th April on the indemnity bill, the following conversation took place on the subject of the note presented by M. *Serrurier* to the government immediately previous to his departure, and which will be recollected gave such umbrage to the president that he declined communicating it to congress. We have since translated it from the French papers. At this juncture the remarks in relation to it, elicited by the questions put to the duke de Broglie will be read with interest.

M. Dubois, *(de la Loire Inferieure)*—Gentlemen, in a discussion which has recently taken place in congress, Mr. Clay said that the letter sent by the French minister, had excited some angry feelings towards him on the part of the secretary of state, to whom it was addressed. The French minister is now returned, and must have given an account to his government of what may have taken place on this occasion.

M. *the duke de Brolie*, (with much animation and emotion.) The minister of France to the United States in withdrawing from thence by order of his government, delivered a despatch, of which a draft had been sent him from home. This despatch, it appears, did not suit the president of the United States, but it suited us; it has been printed, each of you can read it. If the government of the United States asks for explanations from us, we shall know how to answer it. (Very good, very good.)

It seems universally agreed that the American indemnity bill will pass the chamber of peers—without opposition.

Large bodies of troops were gathering at Paris. Whether to assist in the celebration of the king's birth day, or to preserve the public peace during the trial of a large number of state prisoners, does not appear. It is said that many persons were leaving Paris—anticipating a commotion.

There is nothing important from England. It was believed that all the whig ministers would be re-elected to parliament.

The accounts from Spain are unsatisfactory. There does not seem to be any approaches to peace. There had been a heavy fall in the Spanish funds on the exchange of Madrid. The settlement had been disastrous, and had occasioned numerous failures among the brokers.

"*Salonica, April* 2. I beg leave to state for the information of the committee at Lloyd's, the destruction of *thirty-seven Greek pirates*, by the Turkish troops, of which thirty were taken in the vicinity of Cassandra, and the remainder in Thessaly, the heads of the malefactors were sent here last week, and publicly exposed during three days. It is supposed that this summary, but necessary act of justice may be the means of deterring other pirates from frequenting these parts for some time to come. For the capture of the pirates we are exclusively indebted to our governor Ibrahim pacha, who deserves unqualified praise for his conduct in this instance. I am sorry to have to report the existence of the plague here, introduced by a passenger, recently arrived from Alexandria. As yet we have only heard of four deaths out of seven attacks."

THE DANFORTH SPINNER.

[CIRCULAR.]

Paterson, June 2, 1835.

The subscribers having the exclusive right of building and vending the patent spinning frame, called the Danforth (or cap) spinner, take this method of making known its advantages over all other modes of spinning cotton, with the view to render to the manufacturers of this country the facilities which the British manufacturers have with avidity availed themselves of. It is a truth not generally known, but which, by reference to R. Carrich, esq. of Paterson, N. J. or John Hutchison, esq. of Liverpool, England, can be clearly demonstrated, that the Danforth spinner has gone into extensive use in Great Britain, and that no new mode of spinning was ever before so generally adopted in that country in so short a period of time. The gentlemen whose names we have annexed, and to whom we refer you, would prove most conclusively their superiority over all other modes of spinning the numbers of yarn for which we specially recommend them. Their characters for candor, integrity and skill in manufacturing, forbids all idea of a doubt as to the truth of what they may state, and would place this principle of spinning cotton far before all others as to cheapness of production, and would fix the quality of the yarn equal to any produced by any other plan of spinning.

We specially recommend them for spinning warp or filling, from No. 16 to 40, or as high as can be spun from New Orleans cotton.

They require less power than the live or dead spindle, and the quality of the yarn spun by them is better, and not inferior to the best mule yarn.

They will produce more yarn than any other machine in the world.

They are now producing where they are in operation from 7 to 8 hanks of No. 20, and from 6 to 7 hanks of No. 30 per spindle per day.

It costs less to keep them in repair than it does the live or dead spindle.

The cost of the machine, in consequence of being patented, is from 50 cents to one dollar per spindle more than the live or dead spindle.

REFERENCES.

George H. Kuhn, of Boston; *Jonathan Bliss*, of Attleborough, Massachusetts; *Daniel Green*, of East Greenwich, Rhode Island; *Philip Schuyler*, Schuylerville, N. York; Dr. *E. Champion*, East Haddam, Connecticut; *A. & R. Carrick, Collet & Smith, Daniel Ridgway, E. B. Clark, D. Holsman, Bensen & Godwin*, Paterson, New Jersey; *Andrew Zabriskie*, Dr. *J. Rosencrantz*, New Prospect, New Jersey; *Joseph Ripka, James Robinson, Andrew Adams*, Philadelphia; *William P. Jenks*, Union Manufacturing company, Baltimore. Respectfully,

GODWIN, CLARKE & CO.

The gentlemen referred to need no recommendation from us, of their high respectability—so far as we have the honor of knowing them.

This machine does away the *mule* spinning—and employs a larger proportion of *female* labor.

We understand that the receipts from *England*, for patent rights, are large—the use of which promises to become general in that country.

ated that other machines produce only from 5 ks per day—this from 7 to 8.

PENNSYLVANIA POLITICS.

s is an unrivalled *ferocity* in the politics of Penn—and they are more changeable than the came- The *two* "democratic" parties in the state, now Mr. *Van Buren*, one of them by compulsion, the choice—but the friends of gov. Wolf are suspect- hose of Mr. Muhlenberg. Less than three years th parties repudiated Van Buren, and supported eran "democrat" *William Wilkins*, for the vice ney—the bank, the tariff and internal improve- These were the "Pennsylvania policy"—the rks of "the key stone state!"

nother specimen, we give the following from the lvanian of the 11th inst.

THE LINE DRAWN!

me has at last arrived when a broad line will be drawn the friends of regular state and national nominations, enemies of both on the other. The colors have be- ore and more distinct every day for the last six months, *faithful* have now finished the whole by hoisting their pposition to the Baltimore convention, and proclaiming abor admiral of the WHITE.

be laid down as a truth which we have no hesitation ing that the lapse of two years will confirm, that ALL ocate the sham nomination of George Wolf, assert the the Wolf delegates to a seat in the Baltimore conven- n any other footing than that of courtesy, and support ious electoral ticket framed by the 7th of March cau- e by these acts ceased to be democrats, and are the t enemies of the whole democratic party.

reasons are plain—they strike at the very existence of ty with which they have hitherto acted. The great head arty, Andrew Jackson, has expressed his opinion une- lly in favor of national conventions: yet the friends of Wolf, after taking part in its deliberations, and appa- nsecurring in the nominations, resist one of its most im- and emphatic recommendations.

strike at Martin Van Buren, who *was* unanimously no- l by the national convention, and *is* the favorite candi- Pennsylvania, and whose friends will not support an l ticket which the national convention declared to be d *spurious*.

democratic party, however, have reasons to be thankful friends and partisans of George Wolf, for throwing off guise so early. They have been long suspected of being boys"—but every doubt upon the subject must vanish, ey have openly proclaimed their unaltered and unalter- ention of supporting an electoral ticket, which *may* give e to White, but can *never* give it to Van Buren.

e matter of the electoral ticket, therefore, as in that of vistown convention, they shrink from the people—they t face them—and if there were nothing else to show it, ircumstances would be enough to prove that they had rily ceased to be democrats. The line is therefore clear- n, and every Wolf man may hereafter pass for a whig, ison or "White boy," but never can be considered a de- .

Every political manager in the state, makes "de- ts" for himself. He has a patent right to do so.

MR. VAN BUREN'S ACCEPTANCE.

From the Richmond Enquirer.

(COPY.)

May 23, 1835.

: A convention of republican delegates from vari- rts of the union, for the purpose of selecting suit- andidates for the offices of president and vice-pre- , assembled in Baltimore on the 20th instant, and nously agreed to present to their country, your for that of president of the United States. We een requested to communicate to you this nomina- and ask your acceptance of the same. We take re in performing this duty, and respectfully solicit wer at such time as may suit your convenience to ne.

th sentiments of high esteem and respect, we have nor to be, your obedient servants,

A. STEVENSON, *president.*
JAS. FENNER,
EDWARD CONDIT,
UPTON S. HEATH,
R. STRANGE,
J. B. NEVILLE,
FRANKLIN CANNON,
vice-presidents of the national convention.

Martin Van Buren, esq. of New York.

Washington, May 29th, 1835.

GENTLEMEN: I have the honor to acknowledge the receipt of your letter of the 23d instant. The nomination you have been deputed to announce to me presents the only contingency, upon the occurrence of which, I could consent to become a candidate for the high office of president of the United States. When my name was first associated with the question of general Jackson's successor, more through the ill-will of opponents than the partiality of friends, I determined to wait for the development of the views of the republicans of the union, and to pursue that course only which their unbiassed judgment should finally recommend. I deemed that course to be due to the administration, of which I was a member—to the best interests of the country—and to the indivisibility of a political party, by the original organization of which, the overthrow of republican principles in the United States was prevented, and upon the ascendancy of which we can alone depend for their preservation. To the offers of support which were at that period occasionally made to me from different quarters of the union, I respectfully replied, that the public good, in my opinion, required the services of general Jackson for a second term,—that the agitation of the question of his successor, at that early period, must of necessity embarrass the administration—and that it was my desire that my name should not be connected with the subject. From that time to the present, I have neither solicited the aid nor sought the support of any man in reference to the high office for which I have been nominated; unless my replies to interrogatories from my fellow-citizens upon public questions, and my sincere endeavors to make myself worthy of the respect and confidence of the American people, are liable to that construction. For the truth of this declaration, I can safely appeal to the hundreds of honorable men who composed the recent convention—to the numerous editors and politicians throughout the union, who have distinguished me by their preference, and to my private correspondents, and intimate friends, not excepting the considerable number of persons, once my friends and associates, whom the fluctuations of political life have converted into opponents. In none of these classes, or in any other of our community, is there a man who can truly say, that I have solicited his political support, or that I have entered or sought to enter with him into any arrangement, to bring about the nomination which I have now received, or to secure my elevation to the chief magistracy of my country.

The liberal men of all parties, I trust, and you and those you represent, I am sure, will pardon me for having thus spoken of my own conduct in reference to a point upon which I have been the silent object of attack, as causeless as it has been violent and unremitted; especially, as I alone can answer for it in relation to all my countrymen, although thousands may be ready to answer in relation to themselves.

Under these circumstances, the democracy of the nation in convention assembled, having, as you inform me, with a degree of unanimity that I cannot too highly appreciate, pronounced me worthy of so great a trust, I cannot hesitate in making their wishes the rule of my conduct. I do, therefore, with a deep, and I hope abiding sense of the honor conferred upon me by their preference, accept the nomination which has been tendered to me by the convention.

I am not aware that there is any point of interest in the general policy of the federal government, in respect to which, my opinions have not been made known by my official acts—by my own public avowals, and by the authorised explanations of my friends. If there be any such, however, you may rest assured of my ready disposition to comply, on all suitable occasions, with the wishes of my fellow-citizens in this regard. I content myself, on this occasion, with saying, that I consider myself the honored instrument, selected by the friends of the present administration, to carry out its principles and policy; and that as well from inclination as from duty, I shall, if honored with the choice of the American people, endeavor to tread generally in the footsteps of president Jackson—happy if I shall be able to perfect the work which he has so gloriously begun.

It cannot be denied, that there is no country in the world, whose inhabitants are so well secured in their civil and religious rights, and enjoy so large a share of prosperity and happiness, as the people of the United States. For this, they are indebted less to salubrity of climate and fertility of soil, than to our excellent system of government; by which, more than by any other, every man is protected in the application of his powers and faculties to his own benefit. That, dissatisfaction should nevertheless occasionally arise, even under the best administration of a system capable of producing such happy results, is not to be wondered at. Until the wit of man shall be able to devise some plan of representative government, by which all who think themselves qualified, may be, at the same time, admitted to a participation in the administration of its affairs, we must not expect to be relieved from the spirit of complaint, nor even surprised to find it most vehement at a period of the greatest prosperity. But, between partisan complaints as to the management of our government, or even diversities of opinion in relation to the wisdom of supposed improvements in the details of its construction, *and* a desire to undermine and overthrow it, there is an immeasurable difference. Whilst the one can, at worst, but produce partial and temporary obstructions in the public service, success in the other would inevitably plunge our country, from its present lofty eminence, into an abyss of anarchy and ruin.

We hold an immense stake for the weal or woe of mankind, to the importance of which we should not be insensible. The intense interest manifested abroad in every movement here, that threatens the stability of our system, shews the deep conviction which pervades the world, that upon its fate depends the cause of republican government. The advocates of monarchical systems have not been slow in perceiving danger to such institutions in the permanency of our constitution, nor backward in seizing upon every passing event by which their predictions of its speedy destruction could be in any degree justified. Thus far, they have been disappointed in their anticipations, and the circumstances by which they were encouraged, however alarming at the time, have in the end, only tended to show forth the depth of that devotion to the union, which is yet, thank God! the master passion of the American bosom.

Thoroughly convinced that the overthrow of our present constitution and the consequent destruction of the confederacy which it binds together, would be the greatest sacrifice of human happiness and hopes that has ever been made at the shrine of personal ambition, I do not hesitate to promise you, that every effort in my power, whether in public or private life, shall be made for their preservation. The father of his country, foreseeing this danger, warned us to cherish the union as the palladium of our safety; and the great exemplar of our political faith, Thomas Jefferson, has taught us, that to preserve that common sympathy between the states, out of which the union sprang, and which constitutes its surest foundation, we should exercise the powers which of right belong to the general government, in a spirit of moderation and brotherly love, and religiously abstain from the assumption of such as have not been delegated by the constitution.

Accept, gentlemen, my thanks, for the kind manner in which you have performed the duty assigned to you, and believe me to be, very sincerely, your friend and obedient servant, M. VAN BUREN.

To Andrew Stevenson, esq. president, and James Fenner, Edward Condit, Upton S. Heath, Robert Strange, J. B. Nevitt and Franklin Cannon, esqrs. vice presidents of the late national convention.

A LETTER FROM MR. WILDE.

The subjoined letter interested us in the perusal more because of the information which it conveys of the distinguished and estimable writer of it, Mr. WILDE, having gone abroad, than from its denial of a charge, which no man who knows Mr. W. would believe for a moment to be true:

Packet ship Westminster, off Sandy Hook, 1st June, 1835.

To the editor of the New York Star:

SIR: My attention has been called to an article in a late Globe, respecting Mr. Speaker *Bell*, which, until this morning, I have not had leisure to read. The obvious import of a passage in it is to charge concert between that gentleman and myself in the election which elevated him to the chair of the house of representatives. "Jockeying" is the word used. If it was intended to convey to the public, so far as the influence of that gazette extends, the impression that there were any secret or unfair practices between any body and myself, the charge is utterly unfounded. In truth, Mr. *Bell* and I had no understanding, of any kind, and never, directly or indirectly, concerted any thing touching the election.

Were I not about quitting my own country, and going for a while where the Globe, as the official paper of the president and his cabinet, has perhaps more authority than among those of my fellow-citizens whose good opinion is desirable to me, the imputation in question would scarce be worth repelling. This consideration, and the fact that another is interested, and entitled to my testimony, has prevailed over my reluctance to write any thing for the newspapers—a reluctance sufficiently well known to have stimulated, in some degree, the successful attacks heretofore made on me.

A very curious rule is gaining ground on this subject. Some paper justified itself not long ago, for publishing a disreputable charge of literary larcency, by saying the editor at the time believed it to be false, but a subscriber sent it, who was anxious for its publication, and it was published to afford the party implicated an opportunity of contradicting it, an opportunity of which he did not choose to avail himself. To avoid the recurrence of a similar piece of casuistry, this notice of the paragraph in the Globe may be excused; and as it is in vain, I fear, to expect that print to right the wrong in question, I respectfully request the administration journals generally, whose editors respect truth, to give their readers an opportunity of seeing my denial.

There are men of all parties who honor me with their esteem and are entitled to mine. They, at least, will not think the worse of the independent press which dares do justice to the character of a former political opponent, nor an unaspiring and unobtrusive private citizen. I am sir, very respectfully, your obedient humble servant,

RICHARD HENRY WILDE, *of Georgia.*

SILLIMAN'S GEOLOGICAL LECTURES—VOLCANOES.

From the Boston Evening Journal.

The lecture on Thursday evening, related principally to the subject of volcanoes, and was particularly interesting. Mr. S. mentioned the different countries whose appearances denoted volcanic action, either recently or at some remote period of time. He mentioned Iceland, with its Mount Hecla and its Geysers, which is highly volcanic. The Shetland, Orkney and Ferroa Islands, were placed upon trap and basaltic rocks, probably of volcanic origin. The hot springs in England occasioned by internal heat, shews that there is an igneous action beneath the surface of the earth, and which has given evidence of existence for 2,000 years. These hot springs are also numerous along the foot of the Alps, and in many parts of this country. Mr. S. gave a brief sketch of the volcanic appearances in Europe and in Asia, and stated that it was now believed that volcanic action was the instrument of the destruction of Sodom and Gomorrah. The Azores, Madeira, Canary Islands, Cape de Verds, St. Helena, Tristan D'Acunha, and the Isles in the Indian ocean; particularly Bourbon, gave evidence that they were of volcanic origin. Also, the large islands of Java, Sumatra, Borneo, &c. with the Phillippines, were evidently a continued range of volcanoes. The islands in the West Indies were also of volcanic basis; and South America is subject to earthquakes, which always attend and generally precede volcanoes. He spoke of the earthquake at Carracas, and on the recent eruption in the bay of Honduras, of the mountains of Quito, and the whole chain of the Andes, which are capped with porphyry, trap and basalt, and supposed that there was no doubt that the whole range from Terra del Fuego or *Land of Fire*, was a continued range of volcanoes. He then alluded to the islands in the Pacific, all of which are volcanic, *the bed of the vast ocean probably resting on arches of fire;* the volcanoes being merely the *chimnies* or the places of exit, for the fire and smoke in the interior of the earth. The number of volcanoes known to be in actual existence is upwards of three hundred! In Mexico, in 1759, a region of country upwards of 70 miles in extent, rose by volcanic action several hundred feet, and a mountain was formed in the centre about 1,700 feet in height—which, fifty years afterwards, when Humbold visited the spot, was found to be hot and smoking. Mr. S. described the eruptions at Vesuvius and Ætna, and the destruction of Pompeii and Herculaneum. He also spoke of Graham's Island, which was formed a few years since, in the vicinity of Sicily, by volcanic action, and rose from the bottom of the sea. It has now disappeared, and a dangerous shoal marks the spot. Mr. S. states that in South America, in several instances, fishes were thrown out of the craters of volcanoes with other matter supposed to have been the inhabitants of the vast lakes in the mountains.

Mr. S. conceived that the earth in the interior was in a state of igneous fusion. It is found on boring for Artesian wells, that the heat increases in regular ratio as we advance from the surface of the earth. This is also proved by the temperature of mines, &c. It has been computed that water will boil at the distance of two miles, and at the distance of two hundred miles, the heat will be so intense that rocks will melt! The surface of the earth is therefore nothing but *a crust of frozen*

lava! The earth was once probably a red hot ball the surface of which is now congealed. Its figure that of an oblate spheriod, shows that it was of a nature soft and yielding. The sun is now a red hot ball, and the dark spots on its surface, may be the commencement of congelation. In the course of time, the whole surface may become congealed, and the earth will be thus deprived of the source of external light and heat!

Mr. Silliman thought that the cause of internal fires might be owing to *galvanic action*, produced by the natural arrangement of metals and acids. By galvanic action a tremendous heat may be produced; granite and basalt having been in this way frequently put in a state of combustion. It is probable that *the great magazine below is filled with combustible materials. The volcanoes are useful and conducive to the safety of mankind, as they are vents for letting off the vast quantity of steam and gasses, which are constantly accumulating in the bowels of the earth.* If these orifices were sealed, the convulsions which would take place from time to time would be tremendous, and whole islands and continents would probably be overthrown and destroyed.

He thought that fissures in the earth might sometimes take place, *through which the water of the ocean might penetrate, which would produce a reaction, and the water would be sent forth with great violence, and volcanoes be thus formed.* This supposition is strengthened by the fact that volcanoes are frequently found in a continued line, as if originating from this or a similar cause. Mr. S. alluded to the facility with which the earth could be destroyed by the mutual action of volcanic fires. It would then become red hot, and could be renovated and fitted for the residence of a more exalted race of beings.

Mr. Silliman then in some argumentative and truly eloquent remarks, undertook to prove the consistency of these geological facts with the account of the creation, as given in the holy scriptures; and he showed that although a partial knowledge of a great first cause, as exhibited in his works, may lead to scepticism—yet a thorough knowledge of the subject will change the whole aspect of the argument and change the weapon of the infidel into "the shield of truth."

BRITISH WEST INDIES.

From the Philadelphia Inquirer.

By an arrival at this port we have regular files of Kingston, Jamaica, papers to the 17th ult. The proclamation of the governor, declaring the slaves of the Grand Caymanas to be "absolutely and unconditionally free," had produced considerable excitement. Addressing himself to the slave owners, lord Sligo says—"That there is an apparent hardship in the case, as far as your not having the same advantages in the service as apprentices, of your former slaves, I freely admit. I also admit that the non-registration of the slaves was no culpable neglect of your own, as the law did not prescribe the necessity of your so doing. Then, however, the undoubted construction of the abolition act is, that all unregistered slaves shall become absolutely and unconditionally free, and that you have no claim upon the services of those who were formerly apprentices." Addressing himself to the slaves, he says—

"New duties devolve upon you with the new position you now occupy, and I hope that, by the steadiness of your conduct and your peaceable demeanor, you will prove that this greatest of all earthly boons has not been unworthily bestowed upon you. You must now entirely depend upon your own industry for support. You must recollect that you have now no person to feed you—no person to clothe you—no person to give you medical assistance, if you are ill. You must depend upon your own exertions for all these things. You have no grounds or houses of your own; those you have heretofore occupied must now be given up to their owners, your former masters, whose property they are—all belong to him, excepting your furniture, clothes and the crops you have now in the ground. These you have a right to remove to where you may please to go, if you mean to do so; but I trust that a sense of what is so decidedly your own interests, will induce you to offer to your former masters such equivalent either in labor or money, as will induce him to leave you in the quiet occupation of your grounds and home.

The Jamaica Despatch describes the act of the governor as one of "unparalleled robbery—a fine sample of whig atrocity and villany"—and adds:

Robbery in every shape is detestable, and we condole with the inhabitants of the Caymanas for two reasons. The robbery is admitted, but to be taunted with it in bad English is insupportable. The inhabitants of the Caymanas submitted to the spoliation with decorum and dignity! Decorum and dignity with a vengeance! but we are not told the whole farce took place under the guns of the Forte frigate, the Serpent brig of war, and the bayonets of two companies of the 87th regiment, and the marines of the two ships!"

A letter from Barbadoes says:

While the impression goes abroad that the apprenticeship system is working well in this island, it is a duty which we respectfully owe to each other that the delusion is removed, in order that effectual means be forthwith taken to render that system every way available to the end for which it is designed. In publishing this statement I request to absolve the stipendiary magistracy from reproach, as I am unconscious that they deserve individually to be impugned for the change which has taken place among the apprentices who are now absenting themselves with impunity from their domiciles.

From the Liverpool Standard of May 1.

We have been favored with the following extract of a letter addressed to one of the first mercantile houses in this town. The effects of the colonial emancipation bill are rapidly coming to maturity, namely, the utter ruin of our West India possessions, and the *frightful increase of slavery and the slave trade* in the Spanish, French and other settlements:

"*Kingston, 7th March*, 1835.

"I am truly sorry to inform you that there continues a great want of confidence, as the negroes are not doing more than one-half of the work they formerly did, nor will they work during their own time for money. The consequence is that our produce is diminishing one-half, and is fetching enormous prices. Coffee was sold yesterday at 24 dollars per cwt. sugar, 43*s.* 4*d.* rum, 3*s.* 11*d.* per gallon. Unless government adopt measures to enforce labor, this beautiful island, in a very few years, will not be worth their protection. The slave trade is carried on to a great extent in Cuba, no less than five vessels, with about from four to five hundred slaves in each, have arrived here within this last month, and two of these vessels were sold here and fitted out for the trade. Our ruin, you perceive, will be the making of our neighbors the Spaniards."

THE BRITISH AND THE CHINESE.

The following is a petition from the British merchants, &c. in China, to the British king, praying the adoption of energetic measures, to correct the abuses on the part of the Chinese authorities. They have certainly a right—*a natural and indisputable right*—to forbid all commerce between their people and any others, whatsoever; but having permitted it, they ought to conduct themselves moderately and modestly. It is certainly within the power of Great Britain to cut off the exterior trade of China, (for they are miserable seamen)—but they have no right to *force* a trade with that country, and against its consent; and, getting wisdom from the proceedings of the British in India, we do not at all disapprove of the care with which the Chinese exclude foreigners from her soil. So it is, also, with the *Japanese*—and both are rich and very populous countries.

To the king's most excellent majesty in council:

The petition of the undermentioned British subjects at Canton *humbly sheweth*—

Your petitioners, therefore, humbly pray that your majesty will be pleased to grant powers plenipotentiary to such person of suitable rank, discretion and diplomatic experience, as your majesty, in your wisdom may think fit and proper to be intrusted with such authority; and your petitioners would suggest that he be directed to proceed to a convenient station on the east coast of China, as near to the capital of the country as may be found most expedient, in one of your majesty's ships of the line, attended by a sufficient maratime force, which we are of opinion need not consist of more than two frigates, and three or four armed vessels of light draft, together with a steam vessel, all fully manned; that he may, previously to landing, require, in the first instance, in the name of your majesty, ample reparation for the insults offered by the governor of Kwangtung and Kwangse in his edicts published on the occasion of lord Napier's arrival at Canton, and the subsequent humiliating conduct pursued towards his lordship, to which the aggravation of his illness and death may be attributed; as well as for the arrogant and degrading language used towards your majesty and our country in edicts emanating from the local authorities, wherein your majesty was represented as the "reverently submissive" tributary of the emperor of China, and your majesty's subjects as proffigate barbarians, and that they be retracted, and never again employed as Chinese functionaries; that he may also demand reparation for the insult offered to your majesty's flag by firing on your majesty's ships of war from the forts at the Bogue, and that remuneration shall be made to your majesty's subjects for the losses they have sustained by the detention of their ships during the stoppage of their trade. After these preliminaries shall have been conceded, (as your petitioners have no doubt they will be), and not till then, your petitioners humbly suggest that it will be expedient for your majesty's plenipotentiary to propose the appointment of commissioners on the part of the Chinese government to adjust with him, on shore, such measures as may be deemed most effectual to the prevention of future occasion of complaint and misunderstanding, and for the promotion and extension of the trade generally, to the mutual advantage of both countries. Your petitioners believe, that if these matters shall be fairly represented, so as to do away with all reasonable objection, and the favorite inclination of the Chinese commissioners be gained, there will be found little disposition on the part of the supreme government to withhold its assent, and every desirable object will thus have been attained.

Your petitioners would humbly entreat your majesty's favorable view of these suggestions, in the confidence that they may be acted upon, not only with every prospect of success, but without the slightest danger to the existing commercial intercourse, inasmuch, as even with a force, not exceeding that which we have proposed, placed at the disposal of your majesty's plenipotentiary, there would be no difficulty, should proceedings of a compulsory nature be required, in putting a stop to the greater part of the external and internal commerce of the Chinese empire; in intercepting its revenues in their progress to the capital, and in taking possession of all the armed vessels of the country. Such measures would not only be sufficient to evince both the power and spirit of Great Britain to resent in-

sult, but would enable your majesty's plenipotentiary to secure indemnity for any injury that might, in the first instance, be offered, to the persons or property of your majesty's subjects; and would speedily induce the Chinese government to submit to just and reasonable terms. We are, at the same time, confident that resort even to such measures as these, so far from being likely to lead to more serious warfare, an issue which both our interests and inclinations alike prompt us to deprecate, would be the surest course for avoiding the danger of such collision.

Your petitioners beg to submit that the mere restoration of the liberty once possessed, of trading to Amoy, Ningpo and Chusan, would be followed by the most beneficial consequences, not merely in the more extended field thereby opened for commercial enterprise, but in the rivalry which would be excited, as formerly, in the officers of government at these several ports, to attract the resort of foreign merchants, and thus extend their own opportunities of acquiring emoluments from the trade.

With respect, however, to this point, or any other of commercial interest that it would be expedient to make the subject of negotiation, your petitioners would humbly suggest that your majesty's minister in China should be instructed to put himself in communication with the merchants of Canton, qualified as they must be in a certain degree by their experience and observation to point out, in what respect the benefits that might be reaped under a well regulated system of commercial intercourse, are curtailed or lost in consequence of the restrictions to which the trade is at present subjected, and the arbitrary and irregular exactions to which it is exposed, either directly, and not less severely because indirectly, through the medium of the very limited number of merchants licensed to deal with foreigners. As an instance of the latter, your petitioners may state the fact, that the whole expense of the immense preparations lately made by the local government to oppose the expected advance towards Canton of your majesty's frigates after they had passed the Bogue, has been extorted from Hong merchants; and as but a few of them are in a really solvent state, they have no other means of meeting this demand, but by combining to tax both the import and export trade.

We would further humbly, but urgently, submit, that as we cannot but trace the disabilities and restrictions under which our commerce now labors, to a long acquiescence in the arrogant assumption of supremacy over the monarchs and people of other countries, claimed by the emperor of China for himself and his subjects, we are forced to conclude that no essentially beneficial result can be expected to arise out of negotiations in which such pretensions are not decidedly repelled. We most seriously apprehend, indeed, that the least concession or waiving of this point, under present circumstances, could not fail to leave us as much as ever subject to a repetition of the injuries of which we have now to complain.

We would, therefore, humbly beseech your majesty not to be induced by a paternal regard for your subjects trading to this remote empire, to leave it to the discretion of any future representative of your majesty, as was permitted in the case of the embassy of lord Amherst, to swerve in the smallest degree from a direct course of calm and dispassionate, but determined maintenance of the true rank of your majesty's empire in the scale of nations, well assured as we feel that any descent from such just position would be attended with worse consequences than if past events were to remain unnoticed, and we were to be left for the future to conduct our concerns with the Chinese functionaries, each as he best may.

[Signed by 91 persons, of whom 35 are British residents in China, chiefly merchants, 29 commanders of British ships, and 25 are transient British merchants, supercargoes, &c.]

VIRGINIA GOLD MINES.

From the Fredericksburg Arena.

The United States mine, the Millbank, Union and Rappahannock, constitute the most noted mines in the state. Up to the 20th of April, 1835, no regular business has been attempted at these mines, nor has there been any expenditure beyond what prudence would dictate for ascertaining their value. The result of such expenditure has established *confidence;* and at all the mines above named, measures have been taken to erect machinery for permanent mining operations.

The Rappahannock mine, under the superintendence of professor John Millington, was the first put in operation, the present season. The machinery (by steam power) was erected during a most rigorous winter and spring; and commenced business about the 20th of April. High expectations were entertained of the product of this mine, as well as of the machinery, recommended and adopted by Mr. Millington. As the first object at this mine was to test the value of the ore and machinery—the operations have been conducted, we understand, by a limited supply of water, obtained from a shaft, by which the machinery is frequently retarded in its progress. The result of the operations, however, has been of the most satisfactory kind. The mill has finished at the rate of one hundred and fifty bushels of ore per day, of twenty-four hours; producing an ounce of gold per hour, as an *average of all its work.*

The machinery at the United States mine, (by water power) is being completed upon a much larger scale of operation than at the Rappahannock mine; and is expected to be in full operation in ten days. At the Union mine, it is said that more than one hundred hands have been for some time engaged, at which mine British capital is principally employed. Three large steam engines, we are informed, are to constitute the power at this mine.

The Millbank company, though not so forward in their operations, are making preparations for business. Thus instead of the mines having been abandoned, the prospect brightens in their favor beyond any thing that has heretofore existed.

The other mines in Virginia—after a great expenditure of money, seem to have been very nearly abandoned.

The *National Gazette*, speaking of the Union Mining company, of Virginia, says:—A party of Cornish miners arrived at New York, a few days since, in the ship Boston, from London, and passed through Philadelphia on their way to the company's mines. We are informed also, that a large amount of machinery, of the most approved construction, is expected daily. It is gratifying to perceive that the attention of British capitalists has been at length awakened to the great mineral resources of the southern states. It is natural to suppose that native American enterprize will derive much advantage and information from the well directed operations of the London company, who it may be presumed have been very choice in their selections of men and machinery, and from the known success of the Brazilian Mining company, whose profits amounted to $250,000 per annum. These foreign capitalists may reasonably calculate on a largely profitable return. We now confidently anticipate some fixed results, which will more completely develope and satisfactorily determine the character of the gold region of the southern states. The future conduct of similar operations must be much modified and directed by the successful results of the present undertaking. The skill and science which will be here evinced, cannot fail to save many engaged in similar enterprises from much useless expense and disappointment.

A REPUBLICAN IN THE SOUTH!

Solemn protest of general Santander, against the paper entitled "An Important Question."

[*Translated for the New York Daily Advertiser.*]

It is the practice in Great Britain and France, on occasions when any important subject is agitated, which may affect the honor of the government and country, for the government to make a solemn declaration of their views. In the United States, the president is accustomed to express his opinions, under his signature, in the public papers, as a homage due to his principles and the national honor. I find myself in a situation in which it is proper to imitate these examples, and to make, for the first time, a public protest with respect to the "Important Question," which a paper of Sunday last has introduced for discussion, perhaps with very evil intentions.

The perusal of this paper has given me the most unpleasant impressions. It deeply wounds my honor, and that of my friends, the congress, and all New Grenada. No other publication has ever pained me in an equal degree. It discusses the question of holding a convention to amend the 102d article of the constitution, which prohibits the re-election of the president and vice president of the republic; and this is sufficient to make me experience the greatest anxiety and distress of mind. When, a few months ago, in another paper, an attempt was made to create an alarm in a similar manner, I despised it, as the effect of party spirit and resentment. The subject now appears to me under another aspect; and if my silence might be interpreted as expressing approbation of the opinion of the author of the "Important Question," I should be responsible to the country for the evils which might ensue. I owe her, therefore, this public declaration. A republican by birth, by principles, and by the claims of honor, I have been one from the first epoch of the revolution, and am so still. I have never contradicted the principles of a republican: I have professed them in the field of battle, in the government palace, in the dungeons of Bocachica—amidst the prosperity as well as the misfortunes of the country—alike in obeying as in command. Under all circumstances I have given strong proofs of them, and have sacrificed an eminent political station, resigned tranquillity, separated myself from respectable and useful friendships, exposed myself to calumny and risked my life. I may have committed errors amongst the great political questions which have been agitated in the course of twenty-four revolutionary years; but I have never vacillated in acting according to the belief, that New Grenada ought to have a republican representative government with all its consequences. I cannot, and ought not in future to proceed in contradiction to such a course, especially since a long and political career has in some degree established a character for me at home and abroad.

I accepted the presidency of the republic, after reading the constitution dictated by its legitimate representatives; I have yielded to it a submission perfectly voluntary; and I have believed, that after passed convulsions, the greatest good which I could do to my country, was religiously to respect its political code, to guard and enforce it. My opinion, both in the government and out of it, with respect to the alteration of the constitution have constantly been, that none ought to be proposed in twenty years, whatever might be the defect or inconveniences of any of its articles: because it seemed important, above all things, to the prosperity of the country, to leave the fundamental laws to acquire strength, in order to destroy the spirit of innovation, instead of giving them a transitory character, and rendering them weak and despised by periodically reforming them.

I have many reasons to believe that my political and personal friends, who occupy seats in congress, will regard with contempt the opinion of the author of the "Important Question." They are perfectly acquainted with me, and know that there is but one kind of ambition in my heart, and that is unlimited—the ambition to preserve to the latest day of my life, the reputation of a magistrate faithful to his duty, a public man of probity, and a sincere friend of the republican system. And these friends are still more the friends of the country than of myself.

I have often maintained the opinion, in opposition to the political vertigo which once seized upon some of my fellow citizens, that no man is necessary to the country, but that we all may be more or less useful according to circumstances. I have always reprobated the designs of ambition, concealed under the mantle of hypocrisy; I have not been deluded by promises which were denied by actions, and I have declaimed against the want of good faith and sincerity in statesmen. I should act in opposition to these practices, and mark myself with indelible blot, if by any means, I should express approbation of the opinion of the author of the "Important Question."

I therefore protest, in the most solemn manner, that I have no part in such an opinion, that I regard it as impolitic, imprudent and little to the honor of New Grenada; that, as far as it may be in my power, I shall oppose the amendment of the 102d, and any other article of the constitution, which may tend substantially to change its provisions; and that, as it is not for my honor, nor my political interests, nor for my country, that I should remain in the presidency an hour beyond the term fixed in the 102d article, it shall be religiously and punctually obeyed. A public career of twenty-five years gives me a right to hope, that my countrymen will see in these promises so many more guarantees of my future actions.

If my continuance in office, which throws upon me a great and continual weight of public business, the injury sustained by my health, and other causes not necessary to be explained, lead me to doubt whether it will be possible for me to complete my present constitutional term, how can I think of prolonging it with detriment to myself and to my country?

The friends of liberty and my own friends need not feel apprehensions. I shall never give them even the least reason to doubt of the sincerity of my principles. The enemies of the government may undeceive themselves, if they have intended to sound me on the "Important Question," and to alarm the people to prepare them for a revolution. The 102d article of the constitution, shall be as immutable as my resolution, never to avail myself of any opportunity which may be legally offered me, to remain in the government longer than the 1st of April, 1837. The glory of leaving the presidency by a legal course, to withdraw to the enjoyment of my home and family, I would not exchange for any other glory on earth. Washington has always been to me an object of veneration, and a prototype which I have ardently desired to imitate. A solitary opportunity has presented itself in my life, in which I might fulfil my desires; and it is the present. To disregard it would be the height of folly. General Paez has imitated it before me, because in the order of time it must be so; but I hope to deprive him of the glory of being the only imitator in America, and fervently desire that all who may in future preside over New Grenada, may also deprive me of that which Providence is preparing for me on the 1st of April, 1837.

FRANCISCO DE P. SANTANDER.

Bogota, 10th March, 1835.

MANUFACTURES AND COMMERCE OF ITALY.

The chief manufactures of Italy are silks in Lombardy, Piedmont, Tuscany, Lucca and Naples; coarse woollens in Genoa, Piedmont, Rome and Naples; glass works at Venice; straw hats in Tuscany and Lucca. Paper is made in all the states, both for home consumption and for exportation. In Lombardy, manufactures of common cotton stuffs have been introduced of late years. The principal productions for exportation consist of corn, rice, hemp and silk in Lombardy and Piedmont; oil, silk and potash in Tuscany; corn, rice, timber, charcoal, hemp and salt in the Papal state; oil, silk, wool, corn, wine, fruit and salt in Naples and Sicily. The greatest industry and skill in agriculture are employed in Lombardy, Piedmont, and the northern Papal provinces; the least in the islands of Sicily and Sardinia. The most fertile soils are those of Lombardy and of Campania, in the kingdom of Naples. The system of irrigation prevails in north Italy.

With regard to the system of agriculture followed in the Maremme of Rome and Tuscany, it may be observed, that it is of a peculiar nature, and perhaps the only one suited to the climate and the thin population of those districts. The principal iron mines are in the island of Elba, at Caneto, in the state of Parma, in the Val d'Aosta, at Stilo, in Calabria, and in the provinces of Bergamo and Brescia. There are copper mines in the province of Belluno, in the Venetian territory, and lead mines in Savoy. The marble quarries at Carrara employ 1,200 workmen, and afford a yearly revenue of about £30,000 sterling. Coal is found in some of the vallies of Piedmont, in the province of Teramo, in Abruzzo, at Leffe, near Bergamo, and near Rimini, in the Papal state, but very little use has been made of it as yet.

The maratime commerce has rapidly increased since the peace. Italy now exports annually to the amount of about £10,000,000 sterling, of which silk makes about £5,000,000; oil £2,000,000, and rice and hemp £1,000,000. The silk is exported from the various states in the following proportions: Lombardo-Venetian kingdom, (livres, 25 to £1 sterling), 85,000,000; Sardinian kingdom, 20,000,000; Parma, 1,000,000; Tuscany, 2,500,000; Lucca, 200,000; island of Sicily, 4,000,000; Naples, Papal state and Modena, 12,000,000. Total 124,700,000. This quantity of silk is purchased chiefly by France, England and Germany. The operations connected with the production of the silk, the spinning of it, and the several manufactures of silk goods, give employment in Lombardy and Venice alone to 100,000 individuals. Italy imports about £12,000,000 sterling of foreign goods annually. Of these, £4,500,000 consist of English goods, chiefly manufactures, besides colonial articles, salt fish, &c. Italy, therefore, consumes more English manufactures than any other country of Europe, Germany excepted.

All the Italian states, except the Lombardo-Venetian kingdom, are open to English manufactures. In Lombardy and Venice the duties on foreign manufactured goods are, in most instances, tantamount to prohibition, and this is for the purpose, as it is said, of encouraging home manufactures; however, a vast system of smuggling is carried on on the frontiers. By an ordinance of May, 1833, all sorts of cotton twist are now admitted into Lombardy, and the duty has been reduced one-half. About 50,000 individuals are now employed in Lombardy in the manufacture of cotton stuffs and prints. Italy imports French goods to the amount of about 40,000,000 of livres annually, chiefly fine woollen cloth, silks and other articles of fashion and luxury. It also imports of corn from the Black sea, iron and copper from the north of Europe, tobacco from Portugal and America, &c.

There is a curious fact observed in the custom house entries of the little duchy of Lucca. The importation of foreign goods in the year 1831 amounted to 5,000,000 of livres, an amount too large to be accounted for, either by the numerical population of the country or its resources and habits. The only plausible explanation is, that a considerable quantity of the goods thus imported into Lucca were smuggled over the mountains to the neighboring states. The roads of Viareggio constitute the only seaport of Lucca, and some hundred small coasting vessels belong to that place. The duchy of Modena also touches the sea by means of its province of Massa and Carrara, and has some coasting vessels under its national flag. The duchy of Parma is the only Italian state having no sea coast, but it has, as well as the neighboring state of Modena, an outlet to the Adriatic by means of the river Po, and accordingly we find mentioned occasionally arrivals of Parmesian vessels in the harbor of the other Italian states. A steamboat plies on the Po, between Langoscuro, near Ferrara and Venice. Steamboats have ascended the Po as high as Pavia. [*English paper.*

STATISTICS OF NEWARK.

From the Jersey City Gazette.

We have been politely furnished with the annexed table of the exports and imports of Newark. The statement was prepared by a committee of the citizens of Newark, appointed for that purpose, and it will doubtless surprise our readers as much as it did ourselves. The facts disclosed prove that the commercial and manufacturing interests of the town are in a most flourishing condition. We doubt, in fact, whether there is the same amount of business done in any other town in the state.

Number of inhabitants in Newark, 18,000.

Amount of manufactured articles exported, annually.

Shoes and boots	$2,600,000
Carriages	1,500,000
Leather	800,000
Hats and caps	900,000
Trunks	100,000
Cabinet and chair manufactures	150,000
Iron, manufactured and raw	1,000,000
Saddlery and harness	750,000
Cider and fruit	50,000
Grain, flour, butter and oil	150,000
Lehigh coal—50,000 tons—value	250,000
	$7,650,000

Imports.

Plaister of Paris	3,000 tons.
Salt	50,000 bush.
Fish	5,000 bbls.
Iron and copper ore	4,000 tons.
Miscellaneous articles	30,000 tons.
Coal—from Virginia, Philadelphia, Sidney, Picton, Lackawana and other places	10,000 tons.
Banking houses, three—capital	$1,500,000
Insurance companies, 4—2 marine.	
Vessels owned on the Passaic	4,000 tons.

From a statement of the number of vessels arrived at Newark from the 1st of October to the 13th of December, 1834, inclusive, it appears that there were—

From Virginia	29
Philadelphia	7
Maine	4
Massachusetts, Connecticut and other eastern ports	16
Other ports	199
And including those going up the Hackensack, making a total of	314

3 ships—168 schooners—143 sloops, &c.

AMERICAN ANTIQUITIES.

From the Augusta Weekly Transcript.

In making excavations in the gold regions of this state, not long since, buildings regularly erected were discovered under the earth. Traces have also been met which prove that the mining business has, at some time, been followed in the same district of country as well as in North Carolina—by whom, or at what period, it is impossible now to discover. The mounds of the west have long been a subject of interest to the traveller, and speculation to the antiquary; but a writer from Arkansas, in the Charleston Observer, states some facts yet more interesting. On the banks of White river, he says, you can see the brick foundations of houses—a few miles farther, six hundred and forty acres of land are enclosed by a wall, in the centre of which is a circular building—there is also in the same neighborhood the ruins of a city, and parallel streets crossing each other at right angles, may be traced by brick foundations one mile in length—the bricks of modern shape. The whole west is rich in objects of interest to the antiquarian and the naturalist. By the accounts of Mr. Flint, and other travellers, says an eastern paper, it appears that the impress of the leaves of the fruit tree, and the bamboo, have frequently been found in the peat beds and fossil coal formations in the neighborhood of the Ohio. Pebbles of disruption, vast masses of lead ore, far from the mine, stratified rocks, earth sands, specimens of organic, animal and vegetable remains, belonging to a tropical climate, clearly indicate some important and extensive changes occasioned by fire and water in the whole great valley of the Mississippi. Then the regular wells, the bricks, the medals, the implements of iron and copper, buried in a soil which must have been undisturbed for ages, with the alphabetic character written on the cliffs, as plainly show that other races of men have existed and passed away. And what a world, says Mr. Flint, must that have been, when the mammoth and the megolonyx bones are now rescued from the soil, and lizards which must have been at least eighty feet in length, reared their heads from the rivers and lakes.

EXTRAORDINARY LEGAL OMISSION.

From the N. Y. Journal of Commerce.

GENERAL SESSION—JUNE 5.

Caution to merchants. Merchants and traders are not perhaps generally aware that in cases where a clerk embezzles their property, as the law stands at present, he cannot be punished for it as a criminal. The following case exemplifies it, and it therefore behoves people to be extremely cautious whom they employ, or to whom they entrust their property.

Samuel D. Mott was indicted for embezzlement.

The indictment alleged that the prisoner, whilst in the employment of George W. Holland, commission merchant of this city, embezzled and appropriated to his own use the sum of two thousand dollars, the property of the said George W. Holland.

Counsellor Wiley took an exception to the indictment, and contended that without entering into the merits of the case, it was manifestly impossible to convict the prisoner, because the embezzlement alledged against him, was that of money belonging to the complainant, who stood in relation of principal and employer to the accused. The offence at common law was not indictable, and the revised statutes had given a different definition of the offence from that of the British statutes, or the statute of this state passed in the year 1813, under which the prisoner appeared to have been indicted. The difference consisted in this—that under the statute of 1813, any person employed as a clerk or servant, who should embezzle the goods, chattles, money, &c. of *his employer*, or embezzle the goods, chattles, &c. of *any other person* coming into his possession by virtue of such employment as clerk or servant, should be deemed guilty of felony. The revised statutes however, in embodying various cases of embezzlement as heretofore from time to time enacted, omitted altogether to name amongst the cases punishable, that of embezzling the goods, chattles, money, &c. of the *employer*, and merely limited it to the embezzling of the goods of *another person*, entrusted to or coming into the possession by a clerk or servant, by virtue of his employment as such. In the present case it appeared that the prisoner was accused of embezzling the money of his employer, and not that of a third person; and therefore Mr. Wiley moved that he should be discharged. Mr. Wiley then directed the recorder's attention to the following section of the revised statutes:—

"If any clerk or servant of any private person, (except apprentices and persons within the age of eighteen years), or if any officer, agent, clerk or servant of any incorporated company, shall embezzle, or convert to his own use, or take, make way with or secrete, with intent to embezzle or convert to his own use, without the assent of his master or employers, any money, goods, rights in action or other valuable security, or effects whatever, *belonging to any other person*, which shall have come into his possession, or under his care, by virtue of such employment or office, he shall, upon conviction, be punished in the manner prescribed by law, for feloniously stealing property of the value of the articles so embezzled, taken or secreted, or of the value of any sum of money payable and due upon any right in action so embezzled."

The recorder acquiesced in Mr. Wiley's exception, and said that as the law stood at present, the prisoner must be discharged. The district attorney accordingly entered a *noli prosequi*, and the prisoner was discharged.

LAW CASE.

Reported for the Commercial Herald.

Chesley Drew vs. *John Swift.* } Circuit court of the United States, Philadelphia, May 11, 1835. Judge Baldwin, presiding.

This was an action brought by the plaintiff to recover of John Swift, esq. the sum of $6,010, with interest from September, 1833. The plaintiff's claim rested upon an alleged improper seizure of this sum from him by the defendant in his capacity as mayor. The circumstances which led to that seizure were briefly as follows. On the 9th of September, 1833, three forged checks were presented to, and paid by the different banks of this city, the Farmers and Mechanics, the Philadelphia and Commercial banks, and suspicion having fallen upon two sons of the plaintiff, they, together with the plaintiff, and other members of the family, were arrested on the 16th of September, as they were about leaving Philadelphia in the steamboat, and conducted before the mayor for examination—when a wallet, containing the sum in question, was found on the person of the plaintiff, and detained by the mayor. The plaintiff and his sons, &c. were committed by the mayor, and on a trial of Elijah Drew, in the mayor's court, for the forgery of those checks, a verdict of guilty was rendered against him. The plaintiff was not brought to trial, and was finally discharged, after an imprisonment of some months; subsequently to which he instituted the present suit. In the meantime, however, the defendant had transferred to the banks the money contained in the wallet, amounting to $6,010.

There was a considerable body of evidence adduced on the trial of this case for the purpose of proving a combination between the plaintiff and his son (who had been convicted), in respect to the forgeries, or at least his knowledge of them, and also of showing that the money taken from the wallet was a portion of that received from the banks in payment of the checks.

The counsel for the plaintiff contended that the question was one of fact for the jury—it was a mere question of property. That the possession of the money by the plaintiff inferred his right to it, and that the burthen of proving that his possession, was fraudulent and dishonest, rested upon the defendant, in order to defeat the plaintiff in his action.

The defendant, on the other hand, took the following positions. That in order to enable the plaintiff to recover in this action, being one for money had and received, arising out of a *tort* or wrong, he must prove a clear title to the money. That his mere possession was nothing. That the money not being in the possession of the defendant at the time when the suit was brought, the action could not be sustained against the present defendant, no notice having been given to the defendant not to part with the money. That the conviction of Elijah Drew, in the mayor's court, was conclusive evidence of the fact, that he was guilty of the forgeries.

Judge Baldwin, in charging the jury, said—that the possession of the plaintiff was a sufficient proof of his property, to enable him to recover it of the defendant. That to prevent his recovery on the ground of the possession, it was the duty of the defendant to show that it was obtained by fraud or illegal means. That if they had not shown it by their testimony, the plaintiff ought to recover. That this principle was much stronger in the present case, as the property here was the common currency, the circulating medium of the country, and like all other negotiable paper, its possession was proof of property—that the action had been properly brought against the defendant—that the conviction of Elijah Drew, was not conclusive evidence of his guilt in an action between the present parties, as the defendant had been a witness on his trial in the mayor's court.

The jury having been out above a day and a half, returned to court and stated the utter impossibility of any agreement among them upon a verdict—whereupon they were discharged by the judge from further consideration of the case.

Counsel for plaintiff, Charles J. Ingersoll, esq.

For defendant, Charles Chauncey, John Purdon and John W. Read, esqs.

LAW OF MAINE.

The provisions of the law passed at the last session of the legislature, prohibiting the emission and circulation of bank bills of the denomination of one dollar or less, take effect from and after the first day of June. As its provisions should be extensively known and rightly understood, we republish the entire act below.

An act to regulate banks, by prohibiting the emission and circulation of bank bills or notes, of a small denomination.

Section 1. *Be it enacted by the senate and house of representatives, in legislature assembled,* That from and after the first day of June next, no banking corporation in this state shall emit, issue, pass or receive in payment of any debt, or in any business transaction, any bank bill or note, of the denomination or value of one dollar or less, either on any bank in this state, or in any other state, or in any of the adjoining provinces: That from and after the first day of January next, no banking corporation shall emit, issue, pass or receive in payment of any debt, or in any business transaction, any bank bill or note of the denomination or value of two dollars, or less, on any of the banks aforesaid:—and that from and after the first day of June, eighteen hundred and thirty-six, no banking corporation in this state shall emit, issue, pass or receive in payment of any debt, or in any business transaction any bank bill or note of the de-

ation or value of three dollars, or less, on any of the aforesaid. *Provided, however*, That no provision of this all be construed to impair any of the liabilities of the in this state, to redeem any bank bill or note of their own ion.

. 2. *Be it further enacted*, That from and after the first June next, no persons or corporate body, shall receive in nt of any debt or in any business transaction, any bank note of the denomination or value of one dollar, or less, on any bank in this state, or in any other state, or in any adjoining provinces: That from and after the first day of ry next, no persons or body corporate shall receive in nt of any debt, or in any business transaction any bank note of the denomination or value of two dollars or less, y of the banks aforesaid:—and that from and after the y of June, eighteen hundred and thirty-six, no person or orporate shall receive in payment of any debt, or in any ss transaction, any bank bill or note of the denomination e of three dollars, or less, on any of the banks aforesaid.

. 3. *Be it further enacted*, That if any banking corpora- this state shall violate any of the provisions of this act, l be liable to a penalty of five hundred dollars, to be re- d by an action of debt, in any court of competent juris- n, in the name of any person who may first sue for the one-half to his own use, and the other half to the use of te; and if any person or corporation, other than banking ations, shall violate any of the provisions of this act by ng any bill or note herein prohibited, he or they shall and pay a sum equal to the amount of the nominal value bill or bills, note or notes so received for every such ; to be recovered by an action of debt in any court of tent jurisdiction, to the use of any person who may first the same.

oved by the governor, March 21, 1835.

JUDGE STORY'S COMMENTARIES.

e Story's Commentaries have been republished in Eng- nd noticed with marked commendation. The London ly Review for April contains the following flattering opi- their extraordinary merit:

e former part of these Commentaries we have not seen, m all that we have learned, and from what the present ntains, we should pass upon the work the highest praise our language could convey in regard to such treatises. ars to us, that Mr. Justice Story has brought to meet the ostract, and, it may be said, unsettled branches of juris ce, a copiousness of learning, and a tone of legal philo- that has not any where been surpassed. It is really a f fine principles, expatiated upon so luminously that one doubt of its becoming a great authority in a department a every day increasing, by the rapid spread of the com- relations of different countries and states. The author's is a first rate school for the study of what is called pri- ernational law. Its intercourse with the whole civiliz- d is not only large, but consisting as the nation does of er of different states, and each under a distinct code of ere is an infinitude of questions that come constantly sposed of by the courts of law, so that there such a mas- position as this of leading principles, was not only like produced, but such as will enlighten jurists every where. thor has indeed brought the legal learning that has been ed by the civilians and authorities on jurisprudence, in nlightened country, to bear upon his more immediate dge and opportunities of improvement; and out of the us and complicated or contradictory mass, he has ex- rich materials, which he has used in the best manner. part before us treats of international jurisprudence, from the conflict of laws in matters of contract general as applied to personal, and also to real property gene- He next proceeds to the application of his general views n of the most important classes of cases arising, con- nd uniformly, in all civilized communities; the one, of a person to dispose of his property after his death: r, the right of succession to the same property, in case mortuary disposition is made of it by the owner. To of the higher principles of law, nothing can be more ble than a thorough acquaintance with these chapters." ns from the above notice that the volume on the con- ws has been republished in England, in separate parts, only one of these parts has fallen under the eye of the . The Scotch Law Journal has also noticed this work gether of so excellent a description, and betokening a completely imbued with the purest principles of legal hy, that it ought to be in the hands of every person who studying in an intelligent way, the higher departments sional knowledge." It appears, also, from an extract re us from the *Pertshire Courier* (Scotland) that "lord m has recommended this work, and given it the sanc- is high and unqualified judgment." [*Boston Atlas.*

PUBLIC DINNER TO MR. BELL.

t public dinner was lately given to Mr. *Bell*, of Ten- t Nashville—at which much enthusiasm prevailed, &c. l toast was as follows:—

. *White*—"What man can look back upon a long and life with less cause of dissatisfaction, or forward with prospects, to a high and final approbation from the which he has so long served?

[Here the president rose and read the following letter from the hon. *Hugh L. White*, in answer to an invitation sent him, by the committee of arrangement, to attend the dinner; and offered judge White's sentiment, which was cordially received by the company.]

Knoxville, May 5th, 1835.

GENTLEMEN: By the mail which arrived to-day I received your invitation to partake of a public dinner to be given to the hon. John Bell, on the 23d inst. in Nashville, by a portion of his constituents.

The pleasure I should experience by an association with a portion of my late constituents, assembled at the festive board, to honor a man who is an honor to the whole state, as well as to his immediate district, tempts me strongly to accept your invitation: but another consideration, which I cannot disregard, induces me to resist this temptation.

When I last visited your place, I looked forward to the 4th of March, 1835, as the period when I could with propriety, cease to take any part in those turmoils occasioned by public life, but within the last few months, my name has been brought before the American people as a candidate to fill the highest office within their gift.

When applied to, I have said "the office was created for the benefit of the people, and they have the right to fill it with whom they please; that I have no agency in causing my name to be used, and that my political friends have my consent to continue, or discontinue its use, as in their opinion will most promote the public good."

While I retain the position I now occupy, in my opinion, it is most proper that I should not participate in any public festival, even in my own state.

For your kind and polite invitation, and for the favorable opinion you have expressed of me, as a private citizen and as a public man, be pleased to accept my grateful acknowledgements; and do me the favor to request those for whom you act, when assembled, to join you and me, in the sentiment which will be found below.

I have the honor to be most respectfully your obedient servant, HU. L. WHITE.

Messrs. Samuel Shannon, John Estell, R. H. McEwen, Wm. M. Berryhill, Joseph Vaulx, Ch's I. Love, Robert Woods, H. Petway, J. Gordon, John Nichol and John Shelby.

Judge *White's* toast was—

The honorable John Bell, late speaker of the house of representatives—If the people of his district felt honored by his election to that distinguished station, the people of the whole state ought to feel more *highly honored* by the able, impartial and satisfactory manner in which he discharged all its duties.

Here a letter was read from Mr. *Peyton*, who had been invited to attend—and his sentiment offered, as follows:

The people of the United States—Intelligent enough for the selection of their own public officers—they will sternly rebuke the attempt of self constituted, irresponsible and unconstitutional bodies to dictate to them.

Then came—

Our distinguished guest the honorable John Bell—A native of Tennessee and a noble specimen of her firmness, independence and republican principles—he has proudly sustained her character in his political course, and the slanders of his enemies cannot take from him the confidence and approbation of his countrymen.

After this toast was proposed, says the "*Banner*"—which was received with enthusiastic cheering, Mr. *Bell* arose, and addressed the meeting in a strain of impassioned eloquence, which we have never heard surpassed. We will refrain from speaking in such terms of this speech, as we might do, for fear of being accused of exaggeration. It exhibited a depth of thought, a research, a grasp and power of intellect, an accuracy of observation, and an intimate acquaintance with political affairs, which belong only to the highest order of statesmen, and it was delivered in such a tone and with such a manner as to enchain a delighted audience for more than two hours. We rank ourselves amongst his warmest friends, and we can truly say, that much as we expected, our expectations were greatly more than realized. We wish that EVERY BODY could have heard it. We will not attempt to give even a summary of Mr. Bell's speech, as we hope to be able to lay it before our readers in a few days.

The following are two of the regular toasts:

The Baltimore convention—A genuine son of its deceased progenitor, "old King Caucus"—may it meet with a like fate at the hands of a free and enlightened people.

The New York system of caucus nominations—In its principles and tendency opposed to economy in the public expenditure, and necessarily involving proscription and an abuse of executive patronage.

Volunteers—selected.

By the first vice president, William E. Anderson—*The Globe*—There is a curse upon *The Globe*. It brings forth thorns and thistles. He that lives upon it "shall eat his bread in the sweat of his face." "In sorrow shall he eat it all the days of his life," and there is enmity between it and every thing that is *White* and pure and just and good.

Sent by a lady—*Andrew Jackson and Hugh L. White*—Friends in early life and kindred spirits in riper years; let not this long and warmly cherished friendship be severed in venerated age by the machinations of political intriguers.

By M. B. Vance—*The people of Tennessee*—They will never submit to dictation however dear the dictator.

By Samuel Watson—*Van Buren*—run Reynard, the people are in the field against you on *White* horses.

By Jacob S. Yerger—*The Globe—The political skunk of* 1835—better let the puny animal pass, than, by crushing it, to be suffocated by its stench.

By William F. White—*Hugh L. White*—the only man who can unite all parties, and calm the troubled waters of party faction. Let us support him.

By David Shelton—*Tennessee*—Her flag of *White* shall wave over this union, and her *Bell* sound a triumph from the *senate* hall of the nation.

By W. Hasell Hunt—*freedom of opinion*, UNLIMITED—*freedom of speech* when *not* abusive—*freedom of action*, when void of injury to others. *Destruction to tyrants*, whether of church or state.

By the company—*Spies and informers*—The generators of mischief—they merit and receive the contempt of all good men—even those who "love the treason, hate the traitor."

DINNER TO GOV. McDUFFIE.

From the Augusta Chronicle.

It having been ascertained that his excellency, Geo. McDuffie, governor of South Carolina, would pass through Hamburg, on his way from the encampment, at Barnwell, to Abbeville, Mr. Shultz, and the citizens of his flourishing town, with the hospitality, patriotism and public spirit for which they are so eminently distinguished, promptly seized on this occasion, of the governor's arrival among his old and devoted constituents, to invite him to meet them at a public dinner; as will be seen by the following proceedings.

[Here follows a letter of invitation and gov. *McDuffie's* acceptance. The dinner was prepared in Mr. Shultz's grove and attended by his band; the provisions were abundant and good, &c. and Mr. Shultz presided.

The 4th toast was—

His excellency, George McDuffie, governor of South Carolina: The able chief magistrate, and the inflexible patriot. We delight to honor the honest man, and devoted patriot, whose political life, virtues and talents, do eminent honor to himself, his state and his country.

9 cheers—Tune: "Hail to the chief."

After the music, and enthusiastic cheering which followed this toast, had subsided, governor McDuffie rose, evidently much affected by the affectionate warmth of feeling manifested, and, after felicitously returning his acknowledgments to the company, and "his old constituents," with whom he found himself again mingled, proceeded onward in a speech of some length, and the most thrilling interest—marked by that eloquent intensity and energy of manner and language, so peculiar to himself—and listened to in almost breathless silence, broken only by the frequent bursts of general, enthusiastic applause, which its eloquent and impressive truths called forth. The address to his old constituents, "whom God knew he had never flattered," amid all their unwavering and distinguishing support, was peculiarly affecting. The picture of the past was most striking and instructive; and upon the darkly threatening future, he would fain shut his eyes. But it was useless to disguise it: the political elements of the country were deeply excited, and the most unmoved were unable to resist the conviction, that a fearful uncertainty, at least, hung upon the vista before us. The state of general corruption at Washington, was appalling; and he had left it, and the federal councils, without hope, to devote the little remaining strength which his services there had left to him, to the welfare and improvement of his own state. He had quitted it, as a just man might have quitted Sodom and Gomorrah; and if it should please God in his wrath, to shower down fire upon that devoted city, he confidently trusted that none of it would reach him in Carolina. It was his ardent desire—a desire in which he earnestly hoped for the co-operation of his fellow citizens—to put the state in a condition of defence, for the future, which might serve to ward off the ruin impending over our institutions. It was his anxious wish to make the militia of the state, in fact, what it was in theory. He had entered public life like most young men, with the most enthusiastic admiration of, and unlimited confidence in our federal constitution and government; which years of bitter experience only, could shake—had believed it a self-acting and self-correcting machine—a sort of perpetual motion of politics—which would go on forever, of itself, without the necessity of aid, or repair, or the trouble of winding up. But the experience of every constitutional government had proved the utter imbecility of mere parchment constitutions and provisions, to protect those for whose benefit they were made, against the natural encroachments of power, and inroads of oppression. And our constitution, instead of checking, in the slightest degree, the abuses and outrages of the government, had served as a ready, and continual pretext for them, and been used even as a rampart, behind which, the usurpers of every department of the federal government, had securely planted the batteries of oppression, and directed them with murderous effect, against the rights and interests of the states. It was a wise dispensation of Providence, he said, that the liberties and interests of every country, should depend, not on parchments, but the ever watchful virtue, intelligence, patriotism and self defence, of those who enjoyed them; and that a people, indolently or carelessly unwilling to make the sacrifices of time, trouble or expense, to place themselves in a state of preparation against the encroachments of any adversary, were unworthy of the blessings of public liberty, and would soon be deprived of them. The militia system, as it existed, was a miserable mockery of self defence; and he was astonished that respectable citizens could consent to make themselves the common, repeated laughing stocks of boys under ten years of age, in the parades, in the public streets. He hoped they would co-operate with him, in correcting this common and most deleterious abuse and disgrace, and cheerfully concede the few days of each year, necessary to render the militia a certain protection to the state, instead of a disgrace to it. Mere courage and patriotism might make martyrs, but never effective soldiers. "Reform it," he said—"reform it—reform it, altogether."

His exposition of the madness, the folly, the stupidity, of taking part in the pending contest for the presidency, was most powerful and impressive. Would to God that every state rights man had heard it—that we could do the least justice to it; but the latter we would not even pretend to attempt, even if we had now time to do so. It was replete with biting, withering sarcasm, founded upon the most irresistible and conclusive argument; and must have satisfied every state rights man who heard it, of the utter impossibility of his honorably voting for judge White, or at all countenancing his pretensions. Who, asked the eloquent speaker was judge White? Who, among his hearers, had heard of him, till he was now put up as a candidate for the presidency—save, perhaps, in that most prominent act of his life, when he voted to repeal and blot out forever the federal constitution, and deluge our principles in our own blood? And South Carolina was called upon, in the very face of her declared principles, to support this man—this "state rights man," forsooth!—a man—an *effigy!*—Mr. Van Buren, too, was not spared, and his character and pretensions did not fail to elicit the most marked contempt. Mr. Van Buren, it was said, (observed the speaker), was a conjurer—nay, the very devil himself! And who was to rid us of this devil? Who was suddenly popped upon the stage to make battle with him in our behalf? Another *Punchinello*? Now, gentlemen, observed Mr. McDuffie, be it distinctly understood, that in this contest, I am neither for *punch* or the *devil!*

Governor McDuffie said he wished to be understood as not extending his remarks against the impropriety of engaging in this contest, at all beyond the limits of his own state: That he deeply regretted, that any thing should have occurred in that state, to induce him to speak on such a subject at all: But that palpable indications, in certain editorial quarters, and the inferences drawn therefrom, had rendered it the bounden duty of every one who felt as he did—that for South Carolina to take any part in such a contest, would bring inevitable ruin upon her principles, and disgrace upon herself—to speak out, and determinately set his face against it and for himself, he wished it to be distinctly understood, that he wholly and thoroughly washed his hands of it, now and forever!

In conclusion, he earnestly implored his old constituents, and his fellow citizens generally, to take no part whatever in this miserable, disgusting, degrading scramble for office: but ardently cling to their well-tried principles, and fearfully but ware that they wander not from them forever, in a deluded search after or worship of new and false gods.

The voice of the south—Give us our rights, secured to us by the constitution, and we are united—refuse them, and we are divided.

The volunteers of South Carolina—They fearlessly and determinately asserted their rights and liberties, and posterity will do justice to their patriotism and public virtue.

Volunteers—selected.

By A. H. Pemberton, (1st vice president): *The nullifiers and judge White*—They whom the infamous and ever-execrable force act was designed to crush, can never honorably support the man who voted for it, and to establish its odious tyranny in the total destruction of their liberties and principles—their lives, their altars and their homes.

By col. James H. Hammond, of Barnwell, (who being specially called on by the committee, prefaced his toast with a few brief, but spirited and patriotic remarks, which was warmly received): *The presidential contest*—One in which the people of South Carolina, feeling no interest, are willing to express no opinion—when the time arrives for them to exercise the poor privilege of choosing between evils, they will determine whether it will become them to choose the least, or not to choose at all.

By col. P. M. Butler. *The competitors for the presidency*—Van Buren and White, a contest between a Jacobin and a Puritan. South Carolina will disdain to truckle to the one, or cater for the other. If she must choose, let it at least be a gentleman of principle, and a man of honor.

By F. C. Barber, esq. of Columbia, S. C. *Lieut. Randolph*—The modern "Tell," who dared to brave the tyrant, when surrounded by his myrmidons.

By Dr. John E. Bacon, of Augusta: *The Old Dominion*—Not as she is, but as she was, and ought still to be.

By col. Lewis Ellzey: *The right of resistance*—It ever belongs to the oppressed—may their volunteers never want or be wanting.

By Mr. J. D. Moore: *Henry Shultz, esq.*—Success to his noble and splendid project, of a direct trade between old and new Hamburg.

By Mr. James B. Semmes, of Georgia: *South Carolina*—He who would not shoulder his musket in *her* defence, let him enjoy if possible, the benefits of an easy conscience, for he possesses no soul, no principle, no idea of liberty.

NORTH EASTERN BOUNDARY.

A resolution was offered in the Maine legislature, calling for information whether or not an attempt has been made, and is making, to sell to Great Britain that part of the territory now in dispute; but the legislature refused to pass the resolution calling for information. It is a singular affair. The Portland Advertiser says:—

"In reference to this north eastern boundary subject, our readers should keep in mind the following facts:

That this was not made a party matter till 1832, when after one set of resolutions was passed by the legislature of 1832, bold and patriotic, in which all parties concurred—another set was formed, agreeing in substance to a concession, or a sale for "an ample indemnity," which the whig party opposed as in duty bound.

That the legislature of 1831 incorporated Madawasca, and sent agents there to organize the town.

That residents of Madawasca, thus made citizens of Maine, acting under the authority of our laws, were imprisoned in Frederickton jail—with convicts and felons.

That gov. Smith upon this issued "a proclamation," and some of the major generals issued orders for their soldiers to prepare for arms!

That an agent was dispatched to Frederickton if not, as it was said, "with bread and cheese" for our citizens in Frederickton jail, yet on a most absurd and humiliating errand.

That the legislature of Maine invoked the aid of Massachusetts, sent col. Parks there as agent—and then, after Massachusettes had solemnly pledged her services and her treasury, the dominant party in Maine, acting as a party, cowardly deserted her!

That the president, notwithstanding he has had the subject under consideration over three years, yet has he no information to give.

That the governor communicates no information in his message.

That American citizens in Madawasca are now under a British king and ruled by British laws.

And lastly—*that no citizen of Maine is permitted to know in what condition the negotiation is, which has at stake* 5,000,000 ACRES OF LAND, *much of which is said to contain the finest land for lumber and cultivation.*"

STATUE OF HAMILTON.

We have just returned from a visit to the exchange, where a most attractive object is drawing together crowds of admiring citizens. It is the statue of *Alexander Hamilton*, for the execution of which a fund was raised some two or three years ago by subscription among the merchants of this city. They have reason to congratulate themselves upon the admirable manner in which their intention has been fulfilled. The statue is carved from a single block of Carrara marble, the upper and anterior portions of which are purely white, and the back slightly veined with clouds or shades of an exceedingly pale blue. This should, perhaps, be considered a defect, but the artist has ingeniously contrived to hide it by such an arrangement of the folds in the drapery as makes the clouding of the marble almost imperceptible. The figure is standing with one foot slightly advanced, and the weight of the body resting upon the other, the head erect, and turned a little to one side, as in the act of speaking. The left arm hangs in the easy natural position by the side, while the other is somewhat raised, the hand grasping a scroll, the end of which rests upon a table. The costume is that of the time in which Hamilton flourished as a statesman and public orator; a coat with upright collar, small clothes, silk stockings, and the prescriptive oratorical mantle or toga, knotted upon the left shoulder, and falling away behind in a rich mass of flowing drapery; thus obviating the trim formal appearance of the close-setting garments peculiar to enlightened nations. The resemblance is perfect—so pronounced by those who knew Hamilton well, and moreover identical with all the good portraits of him we have ever seen. The execution is in the highest style of art; the attitude natural and unconstrained, yet full of dignity; and it is evident that an immensity of labor has been bestowed upon the details not only of the face and figure, but also of the drapery. It is a magnificent production, worthy of the man in whose honor it was formed, of the liberality to which the city of New York is indebted for its possession; and of the talents and high reputation of the sculptor, Mr. Hughes.

[*New York Com. Adv.*

THE MAR CLAIM.

Our readers in this vicinity have lately heard considerable about the Mar claim, and there is a Mar stock in the market, in which it is said considerable speculations have been made. The following account of the origin and nature of this claim is given in the Limington Recorder, and probably comes from a gentleman at that place who has paid some attention to the investigation of the subject. [*Portland Advertiser.*

The earl of Mar. This nobleman, who commanded the army of the pretender in the Scottish rebellion of 1719, is said to have left a son and a daughter at Newcastle upon Tyne, when he and the unfortunate prince made their escape into France. Soon after, the son, quite a boy, came to America and landed at Portsmouth, N. H. where he lived a short time and finally married in Kittery in this country. After the British government granted a pardon to the earl with permission for him to return to his estate at Newcastle, he sent for his son who went to England and had an interview with his father. It was agreed that the son should return to America, and accompany his wife to England, but circumstances of an extraordinary nature detained him for two or three years in this country; at last he was suddenly taken sick and died.

He left six children, who settled in different parts of Maine and New Hampshire, from whom originated nearly all this part of America who bear the name of Mar. The heirs have lately taken measures to recover the immense property left by the earl of Mar in England, and have sent an agent to Newcastle upon Tyne for this purpose. The property is said to amount to the enormous sum of sixty or eighty millions of dollars.

COBBETT'S MODESTY.

The following is an extract from a late number of Cobbett's Register. It is characteristic. How fortunate for sir Robert Peel that Cobbett's tongue "stuck in his throat."

Sir Robert Peel made his speech; I, who sat opposite him, wrote down notes of what he said upon every point of the subject; and upon every point I was prepared to answer him. A great part of his speech consisted of erroneous statements arising from his necessary want of knowledge on the subject; it being in relation to matters which his situation in life, and the turn and taste of his mind, have hindered him from the possibility of understanding, even in the slightest degree. In short, I was prepared to overset every thing which he had said against the motion, being quite ready to show that, even if a substitute were wanted, there was at once a substitute without any new tax, and without any deduction at all from the usual expenditure: only by making the stamp tax, a just tax, instead of an unjust one; which indeed was afterwards, (without any concert with me), stated by Mr. Hume in that speech which he delivered at the close of the debate, and for the delivering of which he is entitled to the gratitude of every tax payer in this whole kingdom, and particularly of every working man.

In so perfect a state of readiness to answer the speech of sir Robert Peel, not to rival him in what is called eloquence, but to answer him by uncontrovertible facts, I being so ready, judge you, my friends, of my mortification at not being able to make myself heard even across the table at which I was standing. I was perfectly well in health: I sat upon the bench without going out of the house, and from a quarter after 2 o'clock till the house divided at very nearly one in the morning, being determined to hear every word that should be uttered upon that occasion. I grew hungry and thirsty about ten o'clock! and a member very kindly went out and brought me a plum cake and two oranges! but the relics of a cough had left me so hoarse, that I could not be heard. The only mode I have of retrieving that which I lost here is that of writing an answer to sir Robert Peel's speech. This is quite necessary, because he called in question the accuracy of facts which had been stated by me in the former discussion, a thing of which I by no means complain, because he made the statement to my face, and did not know at the time that I had no tongue to answer with. Not the same with regard to sir James Graham, Mr. Spring Rice, and Mr. Poulett Thomson, they most servilely repeated the observations of sir Robert Peel with regard to what they called my errors, after they knew that I had no tongue to answer them with.

EXECUTIVE PATRONAGE.

IN SENATE OF THE UNITED STATES, FEBRUARY 9, 1835.

Mr. *Calhoun* made the following report:

The select committee appointed to inquire into the extent of the executive patronage; the circumstances which have contributed to its great increase of late; the expediency and practicability of reducing the same, and the means of such reduction, have bestowed on the subjects, into which they were directed to inquire, that deliberate attention, which their importance demands, and submit, as the result of their investigation, the following report, in part:

To ascertain the extent of executive patronage, the first subject to which the resolution directs the attention of the committee, it becomes necessary to ascertain previously the amount of the revenue and the expenditure, and the number of officers, agents and persons in the employment of the government, or who receive money from the public treasury; all of which, taken collectively, constitute the elements of which patronage is mainly composed.

As the returns of the revenue, and expenditure, for the year 1834, are not yet completed, your committee have selected the year 1833, as being the last of which complete and certain returns can be obtained.

The result of their investigation on all these points, will be found in a table herewith annexed, which contains a statement of the amount of the revenue, under the various heads of customs, lands, post office, and miscellaneous, for the year 1833; the expenditures for the same period, arranged under the various heads of appropriations: the number of officers, agents, contractors, and persons in the employ of the government, or who receive money from the public treasury. From this table it appears that the aggregate amount of the revenue for the year, was $36,667,211, and of the disbursements $22,713,788; that the number of officers, agents, and persons in the employment of the government is [illegible], of which [illegible] to the civil list, including persons in civil employ, attached to the army and

navy, 12,144; to the military and Indian department, 9,643; to the navy, including marine corps, 6,499; to the post office, 31,917; all of whom hold their places, directly or indirectly, from the executive, and, with the exception of the judicial officers, are liable to be dismissed at his pleasure. If to the above there be added 39,549 pensioners, we shall have a grand total of 100,079 persons, who are in the employ of the government, or dependent directly on the public treasury.

But, as great as is this number, it gives a very imperfect conception of the sum total of those who, are furnishing supplies, or otherwise, are connected with, and more or less dependent on the government, and, of course, liable to be influenced by its patronage; the number of whom, with their dependents, cannot even be conjectured. If to these be added, the almost countless host of expectants, who are seeking to displace those in office, or to occupy their places, as they become vacant, all of whom must look to the executive for the gratification of their wishes, some conception may be formed of the immense number subject to the influence of executive patronage.

But to ascertain the full extent of this influence, and the prodigious control which it exerts over public opinion, and the movements of the government, we must, in addition to the amount of revenue and expenditure, and the number of persons dependent upon the government, or in its employ, take into the estimate a variety of circumstances which contribute to add to the force and extent of patronage. These, in the regular course of the investigation, would next claim the attention of your committee, but as all, or at least a far greater part of them, are of recent origin, they will properly fall under the next head, to which the resolution directs the attention of your committee, and which they will now proceed to investigate.

Among the circumstances which have contributed to the great increase of executive patronage of late, the most prominent, doubtless, are the great increase of the expenditure of government, which, within the last eight years, (from '25 to '33), *has* risen from $11,490,460 to $22,713,755, not including payments on account of the public debt; a corresponding increase of officers, agents, contractors and others, dependent on the government; the vast quantity of land to which the Indian title has, in the same period, been extinguished, and which has been suddenly thrown into the market, accompanied with the patronage incident to holding Indian treaties, and removing the Indians to the west of the Mississippi, and also a great increase of the number and influence of surveyors, receivers, registers and others employed in the branch of the administration connected with the public lands; all of which have greatly increased the influence of executive patronage over an extensive region, and that the most growing and flourishing portions of the union. In this connexion, the recent practice of the government must be taken into estimate, of reserving to individual Indians a large portion of the best land of the country, to which the title of the nation is extinguished, to be disposed of under the sanction of the executive, on the recommendations of agents appointed solely by him, and which has prevailed to so great an extent of late, especially in the south western section of the union.

It is difficult to imagine a device better calculated to augment the patronage of the executive, and, with it, to give rise to speculations calculated to deprave and corrupt the community, without benefit to the Indians. But as greatly as these causes have added to the force of patronage of late, there are others of a different nature, which have contributed to give it a far greater and more dangerous influence. At the head of these should be placed, the practice, so greatly extended, if not for the first time introduced, of removing from office persons well qualified, and who had faithfully performed their duty, in order to fill their places with those who are recommended on the ground that they belong to the party in power.

Your committee feel that they are touching ground which may be considered of a party character, and which, were it possible, consistently with the discharge of their duty, they would wholly avoid, as their object is to inquire into facts only, as contributing to increase the patronage of the executive without looking to the intention, or desiring to cast censure on those in power; but while they would cautiously avoid any remark of a party character, as inconsistent with the gravity of the subject, and incompatible with the intention of the senate in directing the inquiry, they trust that they are incapable of shrinking from the performance of the important and solemn duty confided to them, of thoroughly investigating to the bottom a subject involving, as they believe, the fate of our political institutions and the liberty of the country, by declining to investigate fully and freely, as regards its character and consequence, every measure or practice of the government connected with the inquiry, whether it has or has not been a subject of party controversy.

In speaking of the practice of removing from office on party ground, as of recent date, and, of course, comprehended under the causes which have of late contributed to the increase of executive patronage, your committee are aware that cases of such removals may be found in the early stages of the government, but they are so few, and exercised so little influence, that they may be said to constitute instances, rather than forming a practice. It is only within the last few years, that removals from office have been introduced, as a system, and for the first time an opportunity has been afforded of testing the tendency of the practice, and witnessing the mighty increase which it has given to the force of executive patronage, and the entire and fearful change, in conjunction with other causes, it is effecting in the character of our political system. Nor will it require much reflection to perceive, in what manner it contributes to increase so vastly the extent of executive patronage.

So long as offices were considered as public trusts to be conferred on the honest, the faithful, and capable, for the common good, and not for the benefit or gain of the incumbent, or his party, and so long as it was the practice of the government to continue in office those who faithfully performed their duties, its patronage, in point of fact, was limited to the mere power of nominating to accidental vacancies, or to newly created offices, and could, of course, exercise but a moderate influence, either over the body of the community, or of the officeholders themselves. But when this practice was reversed, when offices, instead of being considered as public trusts to be conferred on the deserving, were regarded as the spoils of victory, to be bestowed as rewards for partisan services, without respect to merit; when it became to be understood, that all who hold office, hold by the tenure of partisan zeal and party service, it is easy to see that the certain, direct and inevitable tendency, is to convert the entire body of those in office into corrupt and supple instruments of power, and to raise up a host of hungry, greedy and subservient partisans, ready for every service, however base and corrupt. Were a premium offered for the best means of extending to the utmost the power of patronage; to destroy the love of country, and to substitute a spirit of subserviency and man-worship; to encourage vice and discourage virtue; and, in a word, to prepare for the subversion of liberty, and the establishment of despotism, no scheme more perfect could be devised; and such must be the tendency of the practice, with whatever intention adopted, or to whatever extent pursued.

As connected with this portion of the inquiry, your committee cannot avoid adverting to the practice, similar in its character and tendency, growing out of the act of the 15th May, 1830, which provides, among other things, that, from and after its passage, all district attorneys, collectors and other disbursing officers therein mentioned, to be appointed under the laws of the United States, shall be appointed for the term of four years.

The object of congress in passing this act, was, doubtless, to enforce a more faithful performance of duty on the part of the disbursing officers, by withholding reappointments from those who had not faithfully discharged their duty, without intending to reject those who had. At first the practice conformed to the intention of the law, and thereby the good intended was accomplished without materially increasing the patronage of the executive; but a very great change has followed, which has, in the opinion of your committee, defeated the object of the act, and at the same time added greatly to the influence of patronage. Faithful performance of duty no longer insures a renewal of appointment. The consequence is inevitable—a feeling of dependence on the executive, on the part of the incumbent, increasing as his term approaches its end, with a great increase of the number of those who desire his place, followed by an active competition between the occupant and those who seek his place, followed by all those acts of compliance and subserviency by which power is conciliated; and of course with a corresponding increase of the number of those influenced by the executive will.

In enumerating the causes which have of late increased executive patronage, your committee cannot, without a dereliction of duty, pass over one of very recent origin, although they are aware that it is almost impossible to allude to it, in the most delicate manner, without exciting feeling of a party character, which they are sincerely anxious to avoid. They refer to the increased power which late events have given to the executive over the public funds, and with it the currency of the country.

In considering this part of the subject of their inquiry, it is the intention of the committee to confine themselves, exclusively, to the tendency of the events to which they refer, as increasing executive patronage; avoiding all allusion to motives, or to the legality of the acts in question.

Whatever diversity of opinion may exist as to the expediency or legality of removing the deposites, there can, it is supposed, be none as to the fact, that the removal has, as things now stand, increased the power and patronage of the executive, in reference to the public funds. They are now, in point of fact, under his sole and unlimited control; and may, at his pleasure, be withdrawn from the banks where he has ordered them to be deposited, be placed in other banks, or in the custody of whomsoever he may choose to select, without limitation or restriction; and must continue subject to his sole will, till placed by an act of congress under the custody of the laws. Whether any provision can be devised, which would place them as much beyond the control of the executive in their present as they were in their former place of deposite, and which at the same time would not endanger their safety, are points on which your committee do not deem it necessary to venture an opinion. What addition this unlimited control over the public funds, from the time of their collection till that of their expenditure, makes to the patronage of the executive, is difficult to estimate. According to the report and statement of the secretary of the treasury, the amount of the public funds in deposite, on the 1st January, 1834, was $11,702,905; and their estimated amount, on the 31st December last, was $8,695,981; making an average amount for the year of $10,199,443, the use of which, considering the permanency of the deposites, may be estimated as not of less value to the banks in which they were deposited, than four per cent. making at that rate on the average amount in deposite the sum

of $407,977 per annum. This immense gain to these powerful and influential monopolies depends upon the will and pleasure of the executive, and must give him a corresponding control over them. But this of itself affords a very imperfect view of the extent of his patronage dependent on his control over the public deposites. To ascertain its full extent, the advantages which these banks have, in consequence of the deposites, in circulating their notes and in dealing in exchanges, and the competition which it must excite among the banks generally to supplant each other in these advantages, and of course in executive favor, on which they depend, and which must tend to create, on their part, a universal spirit of dependence and subserviency; the means which the deposites necessarily afford to raise or depress at pleasure the value of the stock of this or that bank; and the wide field which is consequently opened to the initiated partisans of power for the accumulation of fortunes, by speculations in bank stock; the facilities which all these causes combined must give to political favorites, in obtaining bank accommodations; and finally, the control which the accompanying power of designating the notes of what banks may, and what may not, be received in the public dues, gives to the executive over these institutions, must be taken into the estimate to form a correct opinion of the full force of this tremendous engine of power and influence, wielded, as things now stand, by the will of a single individual.

Your committee have now enumerated the principal causes, which have of late contributed to increase so greatly the patronage of the executive. There are others still remaining to be noticed, which have greatly contributed to this increase, and which claim the most serious consideration; but as they are of an incidental character, it is proposed to consider them in their proper connection, in a subsequent part of this report. Having completed, under its proper head, the inquiry as to the extent of executive patronage, and the cause of its recent increase, your committee will now proceed to investigate the deeply interesting questions of the expediency and practicability of its reduction.

In considering the question of the expediency of its reduction, your committee do not deem it necessary to enter into an elaborate argument to prove, that patronage, at best, is but a necessary evil; that its tendency, where it is not effectually checked and regulated, is to debase and corrupt the community; and that it is, of course, a fundamental maxim in all states, having free and popular institutions, that no more should be tolerated than is necessary to maintain the proper efficacy of government. How little this principle, so essential to the preservation of liberty in popular governments, has been respected under ours, the view which has already been presented, of the vast extent to which patronage has already attained under this government, and its rapid growth, but too clearly demonstrated. But, as great and as rapid as has been its growth, it may be thought by some, who have not duly reflected upon the subject, that it is not more than sufficient to maintain the government in its proper efficiency, and that it cannot be diminished without exposing our institutions to the danger of weakness and anarchy. To demonstrate the utter fallacy of such a supposition, it is only necessary to compare the present to the past, in reference to the point under consideration.

No one, capable of judging, will venture to assert that the patronage of the executive branch of this government, in any stage of its existence from the time it went fairly into operation, has ever proved deficient in proper influence and control; yet, if the present be compared with any past period of our history, excluding, of course, that of the late war, the patronage now under the control of the executive will be found greatly to exceed that of any former period. To illustrate the truth of this remark, your committee will select, for comparison, the years 1825, and 1833, the former, because it was thought, even then, by many of the most experienced and reflecting of our citizens, that executive patronage had attained a dangerous extent; and the latter, because it was the latest period of which we have the requisite materials, with which to make the comparison. What, then, is the comparative extent of executive patronage, respectively, with the short interval of but eight years between them? What, at these respective periods, was the amount of the revenue and expenditure? What the number of persons in the employ of the government, or dependent on its bounty; and what the extent to which, according to the practice of the respective periods, the patronage of the government was brought to exert over those subject to its control? A short comparative statement will show—

The income of the government, in all its branches, including the post office, was, in 1825, $28,147,383, and in 1833, $36,667,274. The gross expenditure, including the public debt, in 1825, was $24,814,847; in 1833, $27,929,389. Excluding the public debt, it was, in 1825, $12,719,503; in 1833, $25,685,846. The number of persons employed and living on the bounty of the government, in 1825, 55,777; in 1833, 100,079.

Measuring the extent of the patronage, at these respective periods, by these elements combined, without taking into consideration the circumstances which, as already shown, have, in this short period, given such increased force to executive patronage, the result of the whole, in 1825, compared to 1833, is as 69 to 89, making an increase of upwards of 36 per cent. If the comparative rapidity of this great increase be examined, it will be found, that it has had a progressive acceleration throughout the period. If we divide the period into equal parts of four years each, the increase in the first four years will be found much less than in the last four. The increase, for instance, of the revenue, during the first four years, was $1,617,594; and during the last four years, $4,906,026; of the expenditures during the first four, $1,873,675; and during the last four, $9,313,340.

It may be said that this increase of patronage, great as it is, does not materially exceed the growth and population of the country, with which, it is assumed, that it ought to keep pace. This view overlooks entirely the increase of patronage from those circumstances which have so much increased it during the period in question, as has already been shown. If these be taken into consideration; if, to the increase of revenue and expenditure, and the number dependent on government, we add the vast increase of executive patronage from the immense public domain recently thrown into the market; the great extent of Indian reservations; the control which the practice of removal has established over those in office; and the great addition to executive power over the public funds, and through this, over the bank institutions of the country, it cannot be doubted, that, instead of increasing only 36 per cent. it has more than doubled in the period in question; while the growth and population of the country have probably not exceeded twenty-four per cent.

But your committee cannot agree, that there is any substantial reason why executive patronage should increase in the same proportion with the growth and population of the country. With the exception of the post office establishment, there is no necessary connexion between the increasing growth and population of the country, and the increasing patronage of the government. On the contrary, many of the public establishments are, or ought to be, stationary; others on the decrease; others, though necessarily increasing, increase at a rate far less than our population; and yet, we find that, for the last eight years, there has been a progressive increase of patronage far greater than the growth and population of the country.

But the assumption that executive patronage and influence should increase in the same ratio with the growth and population of the country, is not less dangerous than it is erroneous. If this assumption be carried out in practice, it must finally prove fatal to our institutions and liberty. The same amount of patronage and influence, in proportion to the extent and population of a country which, in a small state, moderately populous, would be perfectly safe, might prove fatal in an extensive and populous community, just as a much smaller military force, in proportion, would hold under subjection the latter, than the former. The principle is the same in both cases—the great advantage which an organized body, such as a government, or an army, has over an unorganized mass, an advantage increasing with the increased difficulty of concert and co-operation; and this again increasing with the number and dispersion of those on whose concert and co-operation resistance depends; and hence, from their combined action, both as applied to the civil and military, the great advantage which power has over liberty in large and populous countries—an advantage so great that it is utterly impossible, in such countries, to defend the latter against the former, unless aided by a highly artificial political organization, such as ours, based on local and geographical interests. If to this difficulty, resulting from numbers and extent only, there be added others of a most formidable character, the greater capacity, in proportion, on the part of the government, in large communities, to seize on and corrupt all the organs of public opinion, and thus delude and impose on the people; the greater tendency in such communities to the formation of parties, on local and separate interests, resting on opposing and conflicting principles, with separate and rival leaders at the head of each, and the great difficulty of combining such parties in any system of resistance against the common danger from the government; some conception may be formed of the vast superiority which that organized and central party, consisting of officeholders and officeseekers, with their dependents, forming one compact disciplined corps, wielded by a single individual, without conflict of opinion within, either as to policy or principle, and aiming at the single object of retaining and perpetuating power in their own ranks, must have in such a country as ours, over the people, a superiority so decisive that it may safely be asserted that, whenever the patronage and influence of the government are sufficiently strong to form such a party, liberty, without a speedy reform, must inevitably be lost. When we add, that this great advantage of the government over the people—of power over liberty—must increase proportionably with the growth and population of our country, it must be apparent how fatal would be the assumption, if acted on, that patronage and influence should increase in the same proportion; and how infinitely dangerous has been the tendency of our affairs of late, when, as has been shown, instead of increasing simply in the same proportion, they have advanced with a rapidity more than double. So far is the assumption from being true, if we regard the duration of our institutions and the preservation of our liberty, we must hold it as a fundamental maxim, that the action of the government should, with our growth, gradually become more moderate instead of more intense—a maxim resting on principles deep and irreversible, and which cannot be violated without inevitable destruction. Moderation in the action of this government, the great central power of our system, is, in fact, the condition on which our political existence depends. In complying with this condition, we must conform to the principle which divine wisdom has impressed upon the beautiful and sublime system of which our

globe is a part, and in which the great mass, that gives life and harmony and action to the whole, reposes almost motionless in the centre.

Your committee are aware that, since 1833, there has been a very considerable decrease of revenue under the act of 2d March, 1833, known as the compromise law, with other preceding acts, in consequence of the payment of the public debt, which would very considerably affect the comparison, if the year 1834, instead of 1833, had been selected; and they have to express their regret that the want of full and accurate materials for the former year prevents them from furnishing a statement which, while it would show the decrease, would also show how little the final discharge of the public debt has contributed to diminish either the public expenditure or the patronage of the executive—facts of no small moment as connected with the subject of inquiry. The deep interest which the enlightened and patriotic took in that great event was, not to indulge in the idle boast that the country was free from debt, but that it would, as they believed, be necessarily followed by the substantial blessings of reducing the public burdens, and, with it, the patronage of the government; and thus, while it relieved industry, it would at the same time strengthen liberty against power. Thus far these anticipations have been but very imperfectly, if at all, realized. As great as has been the reduction of the revenue, it is still as great as it was when the debt exceeded more than 100,000,000 dollars; and what is more to the point, what conclusively shows how much easier it is to discharge a public debt than to obtain the corresponding benefits, a proportionate diminution of the public expenditure, is the fact, now, when we are free from all debt, the public expenditure is as great as it was when the debt was most burthensome to the country. The only difference is, that then the money went to the public creditors, but now goes into the pockets of those who live on the government, with great addition to the patronage and influence of the executive, but without diminution of burden to the people.

Your committee will next proceed to inquire what has been the effects of this great, growing and excessive patronage on our political condition and prospects—a question of the utmost importance in deciding on the expediency of its reduction. Has it tended to strengthen our political institutions and to give a stronger assurance of perpetuating them, and with them, the blessings of liberty to our posterity? Has it purified the public and political morals of our country and strengthened the ties of patriotism? Or, on the other hand, has it tended to sap the foundations of our institutions; to throw a cloud of uncertainty over the future; to degrade and corrupt the public morals; and to substitute devotion and subserviency to power, in the place of that disinterested and noble attachment to principles and country, which are essential to the preservation of free institutions? These are the questions to be decided; and it is with profound regret that your committee are constrained, however painful, to say, that the decision admits of little doubt. They are compelled to admit the fact, that there never has been a period, from the foundation of the government, when there were such general apprehensions and doubts, as to the permanency and success of our political institutions: when the prospect of perpetuating them, and with them our liberty, appeared so uncertain; when public and political morals were more depressed; when attachment to country and principles were more feeble, and devotion to party and power stronger: for the truth of all which they appeal to the observation and reflections of the experienced and enlightened of all parties. If we turn our eyes to the government, we shall find that, with this increase of patronage, the entire character and structure of the government itself is undergoing a great and fearful change, which, if not arrested, must, at no distant period, concentrate all its power in a single department.

Your committee are aware, that, in a country of such vast extent and diversity of interests as ours, a strong executive is necessary: and, among other reasons, in order to sustain the government, by its influence, against the local feelings and interests which it must, in the execution of its duties, necessarily encounter; and it was doubtless, with this view mainly that the framers of the constitution vested the executive powers in a single individual, and clothed him with the almost entire patronage of the government. As long as the influence of the executive is so moderate as to compel him to identify his administration with the public interest, and to hold his patronage subordinate to the principles and measures necessary to promote the common good, the executive power may be said to act within the sphere assigned to it by the constitution, and may be considered as essential to the steady and equal operation of the government; but when it becomes so strong as to be capable of sustaining itself by its influence alone, unconnected with any system of measures or policy, it is the certain indication of the near approach of irresponsible and despotic power. When it attains that point, it will be difficult to find any where in our system a power sufficient to restrain its progress to despotism. The very causes which render a strong executive necessary, the great extent of country and diversity of interests, will form great and almost insuperable impediments to any effectual resistance. Each section, as has been shown, will have its own party and its own favorites, entertaining views of principles and policy so different as to render an united effort against executive power almost impossible, while their separate and disjointed efforts must prove impotent against a power far stronger than either, taken separately. Nor can the aid of the states be successfully invoked to arrest the progress to despotism. So far from weakening they will add strength to executive patronage. A majority of the states, instead of opposing, will be usually found acting in concert with the federal government; and, of course, will increase the influence of the executive; so that, to ascertain his patronage, the sum total of the patronage of all the states, acting in conjunction with the federal executive, must be added to his. The two, as things now stand, constitute a joint force, difficult to be resisted.

Against a danger so formidable, which threatens, if not arrested, and that speedily, to subvert the constitution, there can be but one effectual remedy—a prompt and decided reduction of executive patronage, the practicability and means of effecting which your committee will next proceed to consider.

The first, most simple, and usually the most certain mode of reducing patronage, is to reduce the public income—the public source from which it almost exclusively flows. Experience has shown, that it is next to impossible to reduce the public expenditure with an overflowing treasury; and not much less difficult to reduce patronage, without a reduction of expenditure: or in other words, that the most simple and effectual mode of retrenching the superfluous expenditure of the government—to introduce a spirit of frugality and economy in the administration of public affairs; to correct the corruption and abuses of the government; and finally, to arrest the progress of power—is to leave the money in the pockets of those who made it, where all laws, human and divine, place it, and from which it cannot be removed, by government itself, except for its necessary and indispensable wants, without violation of its highest trust, and the most sacred principles of justice. Yet, as manifest as is this truth, such is our peculiar (it may be said extraordinary) situation, that this simple and obvious remedy to excessive patronage, the reduction of the revenue, can be applied only to a very limited extent.

But before they proceed to the question of reducing the revenue, your committee propose to show what will be its probable amount in future as the laws now stand; to what limits the public expenditure may be reduced consistently with the just wants of government; and finally, what, with such reduction, will be the probable annual surplus to the year 1842, when the highest duties will be reduced to 20 per cent. under the act of 2d March, 1833; and when, as the act provides, the revenue is to be reduced to a sum necessary to an economical administration of the government.

According to the statement from the treasury department, the receipts of the year 1834, from all sources, amounted to $22,584,366, of which, customs yielded $16,105,372, and $5,020,940; the residue being made up of bank dividends and incidental items, and the question now for consideration is, what will be the probable annual receipts from all sources, during the next seven years, if the income, as has just been stated, is to be reduced to the economical wants of the government? a question which, from its nature, can only be answered by probable estimates and conjectures; and which in this case is the more difficult to be answered from a defect of data, in reference to the customs, the principal source of the revenue. The changes in the rates of duties have been so great lately, and the period so recent, since the laws, as they now stand, commenced operation, that it is impracticable to resort to those average results, deduced from long periods, by which only, the temporary changes and fluctuations of commerce can be detected; and its habitual current ascertained and subjected to calculation. The act of the 2d of March, 1833, which made the last change, and on the provisions of which, the estimates of the income from the customs for the period in question must be based, commenced its operation on the first of January, 1834, and we, of course, have the result of but a single year. From a statement furnished by the treasury department, it seems that the domestic exports of that year amounted in round numbers to $80,000,000, and the imports, given in round numbers, (as all the subsequent statements are) to $125,500,000; of which $23,000,000 were reshipped, leaving $102,500,000 for the consumption and use of the country, of which $55,000,000 were of articles free of duty, and $47,000,000 of those liable to duties; that the gross estimated receipts amounted to $15,572,448, and the net to $14,222,448, leaving $1,350,000 as the expense of collection; that the reduction of one-tenth of the duties above 20 per cent. ad valorem, every two years, according to the provisions of the act of 2d of March, 1833, amounted to $850,000.

As scanty as are these data, it is believed that it may be safely anticipated that the average annual estimated income from the customs for the period in question will be equal at least to the income of the last year. Instead of entering into all the details through which your committee have come to this conclusion, which would swell this report to an unwieldy size, they will content themselves with simply giving the results of the causes which, as can be foreseen, may either increase or diminish the receipts of the customs for the next seven years, as compared with the past year, accompanied by a statement of their probable effects in the aggregate.

It will, however, be previously necessary to inquire whether the estimated receipts from the imports during the last year in fact equalled the amount which the commercial transactions of the year, under ordinary circumstances, ought to have produced. It is not possible, in such an inquiry, to overlook the very unusual importation of the precious metals during the year, which, according to the statement from the treasury

ient, amounted to $16,572,582, constituting to that a part of the articles imported in the year free of duty. shipment for the same period amounted to 1,676,208 leaving in the country, of the amount imported 74 dollars, a sum greatly exceeding our annual con- n, which, in addition to the supplies of our own mines, y falls short of two millions of dollars. The excess was s caused by the peculiar condition of the country, in e to its currency, during the year; and would, under y circumstances, have been imported in goods of various ions, for the usual supply of the country, instead of l silver. Subtracting, then, the two millions from this d the balance from the amount of the articles free of hich, as stated, is $55,000,000, it would reduce the an- nsumption of goods free of duty, including the precious to $42,103,626; and assuming the proportion between ree of duties and those liable to duties to be as that sum 7,000,000; and also, that the excess of the supply of gold ver, imported during the year, would, under ordinary stances, have returned in that proportion between the and free articles, it would add to the former $7,133,313, course increase the receipts from the customs in the roportion: that is, it would make an addition to them of ,000, and would have raised the receipts from customs, the year, from $14,220,000 to $16,370,000; which last, it ved, may be assumed, at the present rate of the duties, probable receipts, under ordinary circumstances, of an and import trade, equal to that of the last year.

es now inquire into the causes which may tend to dimi- increase this estimated receipt, during the next seven and their probable effects in the aggregate on the income he customs.

only cause, as is believed, that will tend to diminish the it, as far as can now be foreseen, as the gradual reduction -tenth every two years, under the act of the 2d March, ill the year 1841, as has been stated. It will be seen by ice to the statement from the treasury already given, that eduction last year on an importation of $47,000,000 of le articles, amounted to $850,000. If, however, instead it amount, the importation of such articles had been 3,000, as it is assumed they would have been, had not rangement of the currency prevented, the reduction on nt of the one-tenth would have increased in the same rtion, and would have, of course, amounted to $975,000. inst this increased reduction, there must be set off a pro- gradual increase of the domestic exports of the country; ith them, as a necessary consequence, a corresponding se of the imports, and with them the receipts from the ms. It we take the last six years, from '28 to '34, the last ied, the average annual increase of domestic exports in riod is nearly $5,000,000, of which the increase in 1833 7,200,000, and in 1834 $9,600,000; making in the last two an average increase of $8,800,000; thus showing a much rapid increase at the end, than at the beginning of the . If to this fact we add the effect which the decrease of , under the act of the 2d March, 1833, must have on the s, the growing demand for the great staples of the coun- nd the vast amount of fertile and fresh lands brought into et, within the last five years, in the region most congenial growth of cotton, it is believed that it may be safely as- d, that the average annual increase of our domestic ex- for the next seven years will at least equal $6,000,000. increase must be followed by a corresponding increase of rts, and with them, as stated, of the receipts from the cus- . Assuming that the proportion between the free and d articles, in consequence of this increase of imports, will has been estimated, it will add to the receipts from the ms an annual increase of $1,000,000—from which, how- , must be deducted $59,000, on account of the biennial re- ion of one-tenth, which would reduce the increase to ,000. If this be deducted from the average reduction of tenth, as above ascertained, we shall have, taking the two es together, the increase of the customs from increased rts, and the decrease from the biennial reduction of one- , a decrease of revenue equal to $34,000 annually; making ven years $238,000.

t it must be taken into the estimate, that the increase of nue from increase of exports, is annually added, while the ction on account of the one-tenth is biennially. Taking into the estimate, the increase of revenue on account of ncrease of the exports over the decrease, on account of the nial reduction of one-tenth, will, in the seven years, equal 98,500, from which take $238,000, and it will leave an egate increase over the decrease of $3,060,500.

his conclusion, however, rests on the assumption, that the portion between the free and dutied articles will remain ng the period the same as is estimated for the last year, but probable that the reduction of the price of the free articles, onsequence of the repeal of the duties, will greatly increase r consumption, and of course have a corresponding effect in asing the amount of the dutiable articles, and with them the eipts into the treasury. It is, however, believed to be a safe mate, that the reduction of the receipts from this cause will more than counterbalanced by the excess of the increase of ome from the increase of exports, over the reduction of one- th biennially, as has been shown, and that it may therefore assumed with reasonable confidence, if no untoward event uld intervene, that the average annual receipts from the customs will be equal to the sum of $16,370,000, the sum which the commerce of last year ought to have yielded, as has been shown, under ordinary circumstances.

Your committee will next inquire, what will be the probable amount of receipts from the public lands during the period in question. The receipts from that source, during the last year, according to a statement from the treasury, equalled $5,020,940. This, however, probably greatly exceeds the permanent receipts from that source, as it was caused, probably, by the great quantity of rich and valuable land thrown into the market during the year. The receipts of 1833 equalled $3,967,682, and that of the last four years averaged $3,705,405. If we take into consideration with these facts, the rapid increase of our population; the steady rise in landed property generally; the vast quantity of lands held by the government; it is believed to be a safe estimate, that the average annual income from this source, during the period in question, will be at least equal to $3,500,000.

Of the remaining sources of revenue, the bank dividends is the only one that requires notice. They amounted in 1833 to $150,000;* and it is probable that they will give an equal annual income till the expiration of its charter, 1836; after which time there will be a reduction from the income of the government, equal to the annual dividends; but it is believed by those, who are most familiar with the subject, that a retrenchment in the collection of the customs, by a reformation of that branch of the administration, may be effected, at least equal to this reduction. It cost the government, it seems, $1,350,000 to collect $11,222,118, which is more than equal to nine per cent. a rate, considering the facility of collecting this branch of the revenue, and the decreased inducement to elude the duties, in consequence of the great reduction in the rate of duties, altogether extravagant.

If these calculations should prove correct, the average income of the government, for the next seven years, not including incidental items, will equal $20,520,000, making, in the whole period, the aggregate sum of $142,240,000, to which, if we add the residue of the government stock in the United States bank, amounting to $6,343,400, and which must be paid into the treasury at the expiration of its charter, and the surplus in the treasury on the 31st of December last, which, after deducting $2,000,000, will amount to $6,695,981, it will give an aggregate sum of $148,679,381; which divided by seven, will make the average annual sum, subject to the disposition of the government for the next seven years, amount to $21,239,911.

Such being the probable average annual income and means of the government for the seven ensuing years, the next question which presents itself for consideration is, what ought to be the average expenditure for the same period?

The expenditure for the year 1834, as taken from the annual report of the secretary of the treasury, equals $19,430,373, and for the preceding year $22,713,753, deducting, in both cases, the payments on account of the public debt. Your committee are, however, of the opinion, that these amounts far exceed what ought to be the expenditure, on a just and economical scale; and that it may be very greatly reduced without injury to the public service. They also are of opinion, that to this great and extravagant expenditure may be attributed, in no small degree, the disease which now threatens so seriously the body politic. That a just conception may be formed of this extraordinary increase, they have annexed a table of expenditures, from the year 1823 to 1833, deducting the payment on account of the public debt, by which it appears, that, in this short period of ten years, the expenditure has risen from $9,784,000 to $22,713,000, being an excess in the latter, over the former, of almost 13,000,000, a sum exceeding, by nearly 3,000,000 dollars, the whole expenditure of the government in 1823, excluding, as stated, the public debt; and this, too, during a period of profound peace, when not an event had occurred, calculated to warrant any unusual expenditure. Of this enormous increase, the greater part occurred in the last three years, in which time the expenditure has risen nearly $9,000,000, which may well account for the present dangerous symptoms.

Your committee have not time to give that minute attention to the expenditures, necessary to determine what particular items can, or ought to be, retrenched; nor do they deem it important, at present, to enter into so laborious an inquiry, even if time did not prevent. It is sufficient for their purpose to assume, that the expenditures of 1823 were, at the time, considered ample to meet all the just wants of the government, and that, so far from being a period distinguished by parsimony, the then administration were thought by many to be unreasonably profuse, and were accordingly the object of systematic attack, on account of their supposed extravagance. Assuming then the expenditure of $9,784,000 to have been ample at that period, the question which presents itself is, what ought it to be at present, taking into consideration the necessity of increased expenditures in consequence of increased population?

They have already shown that the government cannot bear a permanent increase of expenditure, in proportion to the growth of the population, which may be estimated at about 3 per cent. without an increase of patronage that must in its progress inevitably prove fatal to the institutions and liberty of the country. On this principle, the expenditure, instead of increasing nearly 13,000,000 in ten years, as it has, ought to have increased much

* The amount of dividends for 1834, could not be obtained from the treasury.

less than three, and ought not, in the opinion of your committee, to have exceeded 2,000,000 at the farthest. Assuming that sum as a liberal allowance, and adding it to the expenditure of 1823, we shall have the sum of $11,784,000, beyond which the present expenditure ought not to have passed, including the pensions; and, excluding them, $10,012,412, instead of $22,713,000, the sum actually expended. Of the items which compose the present expenditure, that for pensions constituted last year, the sum of $3,341,877. Considering the advanced age of the pensioners, there ought to be, according to the annuity tables, a decrease by deaths of 14 per cent. annually, which, in seven years, would diminish the expenditure on pensions, from the sum above mentioned, to $1,040,802, annually, giving an annual average reduction of $328,725; and would reduce the expenditure on pensions, for the ensuing seven years, to an average sum of $2,048,000. Add this sum to $10,012,412, the sum beyond which the present expenditure ought not to extend, excluding the pensions, and we shall have $12,060,412, as what the annual average expenditure for the next seven years ought to be.

Take this from the sum of $21,239,911, which, as has been shown, will be the probable average annual means of the government for the same period, and it would leave $9,179,499; or, in round numbers, for the facility of calculation, 9,000,000, as the average surplus means, during the period, at the disposition of the government, on the supposition that the expenditures will be reduced to the economical wants of the government.

Having shown what will be the probable surplus revenue, should the expenditure be reduced to its proper limits, the committee propose next to consider, whether under existing circumstances the revenue can be reduced.

The two great sources of revenue are lands and customs. The others (not including the post office, which is a particular fund) are of small amount. After a careful investigation, your committee are of opinion, that the act of 2d March, 1833, has reduced the duties on imports, with some exceptions, as far as is practicable under existing circumstances, consistently with the intent and spirit of the act.

The act provides, among other things, that, after the 31st day of December, 1833, in all cases where the duties shall exceed 20 per cent. ad valorem, one-tenth part of such excess shall be reduced, and in like manner one-tenth part every two years, till the 31st of December, 1839; and that on the 31st of December, 1841, one-half of the residue of such excess shall be deducted; and on the 30th of June, 1842, the residue. It also provides that, until the 30th June, 1842, the duties imposed by the then existing law shall remain unchanged, except as provided in the sixth section.

Your committee do not deem it necessary to inquire whether the circumstances under which it passed, involves any thing in the nature of a pledge or contract, which would forbid any alterations of its provisions. It is sufficient for their purpose to state the fact, that the act is the result of a compromise between great sectional interests, brought into conflict under circumstances which threatened the peace and safety of the country; and that it continues to be the only ground on which the adjustment of the controversy can stand. Under these circumstances, to disregard the provisions of the act would be to open a controversy which your committee hope is closed forever; a controversy, which, if renewed, would do more to increase the power and influence of the executive than any other event that could occur. With the impressions, then, that the provisions of the act cannot be disturbed without endangering the peace of the country, and adding greatly, by its consequences to executive patronage, your committee have limited their inquiries to the reduction of the duties on such articles, as by the provisions of the act are subject to be reduced; and after a careful investigation, they are of the opinion, that all the reductions which can be effected consistently with the spirit of the compromise are inconsiderable, and that to make those that might be made, would require too much time and investigation to permit it to be done at this session, as will appear by a reference to the letter of the secretary of the treasury herewith annexed; but in order that the subject may be taken up with full information at the next session, they have instructed their chairman to submit a resolution for the consideration of the senate, directing the secretary of the treasury to report, at the commencement of the next session, what duties under 20 per cent. ad valorem, may, with a due regard to the manufacturing interests of the country, be repealed or reduced, with an estimate of the probable amount of reduction.

In turning from the customs to the public lands, your committee find that the difficulty of reducing the revenue from that source is not less considerable than that from the customs. They fully agree in that liberal policy in relation to the public lands, that regards them as the means of settlement, as well as a source of revenue; and that they should be disposed of accordingly, in the manner best calculated to diffuse a flourishing and happy population over the vast regions placed under our dominion: a policy, the wisdom of which is best illustrated by the wonderful success with which it has been accompanied. It is an essential maxim of this noble and generous policy, that the price of public lands should be fixed so low as to be accessible to the great mass of the citizens, and at the same time so high as not to subject them to the monopoly of the great capitalists of the country. Your committee are of opinion that this happy medium is attained by the present price; and, judging from many indications of late, no considerable reduction can be made in the price, without making them the prey of hungry and voracious speculators and monopolists, to the great injury of the honest and industrious portion of the community, as well as to the portion of the country where the lands may be situated. Be this, however, as it may, it is at least certain, that the immediate effect of reduction would be to increase, rather than diminish the revenue from lands, and, of course, to augment, instead of reducing the public income.

To this may be added another, and, under ordinary circumstances, conclusive objection against the reduction. The reduction of the price of public lands, while it would act in effect as a bounty to the purchasers from the government, by enabling them to acquire more land for the same sum of money, would act at the same time as a tax upon the entire body of land holders who constitute the great mass of our population—a tax on them immeasurably greater than the bounty of the purchasers.

The government of the United States is, in fact, the great land dealer of the country, and, as such, has the power, by raising or reducing the price of its lands, to reduce or raise, in a greater or less degree, the value of lands every where; and, of course, to affect in the same degree the property of land holders throughout the union. To what extent any given reduction of the price of public lands may effect the price of lands generally, would be difficult, if not impossible to ascertain. It would be greater or less, according to the circumstances. The price of land in the adjacent portion of the country, or that from which emigration principally flowed, would be reduced nearly in the same proportion with that of the public lands: that is, if the price of public lands be reduced one half, lands adjacent, or lying in the emigrating portion of the country, would generally fall one-half, while the more remote would be less affected in proprotion to distance and the absence of emigration.

But, it may be safely assumed, taking the whole country, that the actual fall in the value of lands generally, in the hands of the holders, would greatly exceed the actual reduction of the price of public lands. To illustrate: if the price of the latter be reduced one-half, which at present would be sixty two and one-half cents per acre, lands generally throughout the country would be reduced in value per acre much more than that sum; and, if the far greater quantity held by the whole body of land proprietors, compared to the quantity sold by the government, be taken into the estimate, some idea may be formed how great the aggregate loss of the proprietors, generally, would be, on any reduction of price, compared with the aggregate gain of the purchasers. As great, however, as it must be, none, who know the public spirit and enlightened patriotism of that great and respectable portion of our citizens, can doubt their cheerful acquiescence in the sacrifice, should the public interest, or the fundamental maxim, which ought to govern in the disposition of the public lands, require it; but otherwise, it would be a plain and palpable sacrifice of one, and that the largest portion of the community, to the other, without a corresponding benefit. In presenting this view, it is not the intention of your committee to offer any opinion on the propriety of a graduated reduction, as a measure of general policy, in the price of such public lands as have remained long in the market unsold, and of which there is no immediate prospect of making sale at the present price, because of their inferior quality—their case is distinguishable from that of the great body of the public lands—because the immediate effects of such reduction would obviously be to raise instead of reducing the revenue, and would of course increase instead of diminishing the difficulty under consideration.

Having now shown that no other reduction of the revenue can be effected under existing circumstances, than the progressive reduction already provided for by the act of 2d March, 1833, in either of the great sources of our public income, with the exceptions already stated, your committee will next proceed to inquire whether executive patronage can be reduced by reducing the expenditures of the government.

The result of their investigation on this point is, that for reasons, which will hereafter be offered, a reduction of expenditure, under existing circumstances, would tend to increase, instead of reducing executive patronage. But, if it were otherwise, it would be found utterly impracticable, for reasons already assigned, to reduce the expenditure much below the income. Experience has abundantly proved, that so long as there is a large surplus in the treasury, the interest in favor of its expenditure, will ever be stronger, than those opposed to it; and that no prudential consideration, arising from the necessity of accumulating funds to meet future wants, or the hazard of enlarging executive patronage, or the danger of corrupting the political and public morals of the country by useless and profuse expenditure, or any other whatever, are sufficient to resist the temptation to expend.

If one unworthy object of appropriation is defeated, another, with no greater claims on the public bounty, or justice, will ever stand ready to urge its claims, till the frugal and patriotic are wearied out with incessant and useless efforts to guard the treasury. But were it practicable, with an overflowing treasury, to bring the expenditures within proper limits, such is the present condition of things, that to reduce expenditure would, as has been stated, increase the patronage of the executive, and that to an extent so great, that no object of expenditure can be suggested, having a plausible claim on the justice or bounty of the public, which would tend half so much to in

crease his patronage, as leaving the public money unexpended to accumulate, as surplus revenue, in the deposite banks.

To realize the truth of this remark, it must be borne in mind, that the deposites are under the exclusive *control* of the executive; that they are deposited in banks selected by him; that they have the free use of them without compensation to the public, and they may be continued or dismissed, as depositories of the public funds, at the pleasure of the executive.

With these facts before us, the result must be obvious. To accumulate a permanent surplus revenue in the banks, is, in fact, but to add so much additional bank capital—capital, in this case, exclusively under executive control, without check or limitation; and with its increasing amount, daily giving to him a greater control over the deposite banks, and through them, over the banking institutions of the country, generally; thus adding the deep and wide spread influence of the banks to the already almost overwhelming patronage of the executive.

As the expenditure cannot be reduced, the next inquiry is, whether some object of general utility, in which every portion of the country has an interest, may not be selected, as a fixed and permanent subject on which to expend the surplus revenue.

Your committee admit that if such an object of expenditure could be selected, under a well regulated system of disbursements, established by law, much of the patronage, incident to the present loose and unregulated disbursements, might be curtailed, but they are at a loss to find such an object. Internal improvement approaches the nearest, but there is opposed to it, with the object in view, insuperable objections. To pass by the formidable difficulty, the long established diversity of opinion as to its constitutionality, which divides the two great sections of the country, experience has shown that there is no expenditure so little susceptible of being regulated by law; none calculated to excite deeper competition, or to enlist a greater number in its favor, in proportion to the amount expended; and, of course, calculated to add more to executive patronage. To these, an additional objection of a recent origin may be added. Your committee allude to the executive veto, as applied to internal improvements, the effect of which has been to increase very considerably his power and patronage in reference to this branch of expenditure. The executive, in his veto message, assumes the ground, that internal improvements may, or may not, be constitutional, according to each particular object; the distinction to be determined by him in the exercise of his constitutional function, of giving or withholding his approval to acts of congress; the practical effect of which, is to draw within his control the power and influence, which appertain not only to the administration, but also to the enactment of a law; and, of course, to increase in the same degree his influence and patronage, in reference to internal improvements.

In making these remarks, the object of your committee is not to call in question the motive of the executive, or his right to draw what distinction he may think just and right in the exercise of his veto power, or the correctness of the distinctions in reference to the particular subject under consideration; but simply to exhibit the full extent of the objections in selecting it as the subject on which to expend the surplus revenue—objections, in their nature, incapable of being wholly removed, even by an amendment of the constitution, were an amendment practicable.

But, if no subject of expenditure can be selected, on which the surplus can be safely expended; and, if neither the revenue nor expenditure can, under existing circumstances, be reduced; the next inquiry is, what is to be done with the surplus; which, as has been shown, will probably equal, on an average, for the next eight years, the sum of $9,000,000 beyond the just wants of the government—a surplus of which, unless some safe disposition can be made, all other means of reducing the patronage of the executive must prove ineffectual.

Your committee are deeply sensible of the great difficulty of finding any satisfactory solution of this question; but believing that the very existence of our institutions, and with them the liberty of our country, may depend on the success of their investigation, they have carefully explored the whole ground, and the result of their inquiry is, that but one means has occurred to them, holding out any reasonable prospect of success. A few preliminary remarks will be necessary to explain their views.

Amidst all the difficulties of our situation, there is one consolation, that the danger from executive patronage, as far as it depends on excess of revenue, must be temporary. Assuming that the act of 2d March, 1833, will be left undisturbed, by its provisions, the income, after the year 1842, is to be reduced to the economical wants of the government. The government then is in a state of passage, from one, where the revenue is excessive, to another in which, at a fixed and no distant period, it will be reduced to its proper limits. The difficulty, in the intermediate time, is, that the revenue cannot be brought down to the expenditure, nor the expenditure, without great danger, raised to the revenue, for reasons already explained. How is this difficulty to be overcome? It might seem, that the simple and natural means would be, to vest the surplus in some safe and profitable stock, to accumulate for future use; but the difficulty in such a course will, on examination, be found insuperable.

At the very commencement, in selecting the stock, there would be great, if not insurmountable, difficulties. No one would think of investing the surplus in bank stock, against which there are so many and such decisive reasons, that it is not deemed necessary to state them; nor would the objections be less decisive against vesting in the stocks of the states; which would create the dangerous relation of debtor and creditor between the government and the members of the union. But suppose this difficulty surmounted, and that some stock, perfectly safe, was selected; there would still remain another that could not be surmounted. There cannot be found a stock, with an interest sufficiently strong to compete with the interests, which, with a large surplus revenue, will ever be found in favor of expenditures. It must be perfectly obvious to all, who have the least experience, or who will duly reflect on the subject, that were a fund selected, in which to vest the surplus revenue for future use, there would be found in practice a constant conflict between the interest in favor of some local or favorite scheme of expenditure, and that in favor of the stock. Nor can it be less obvious, that, in point of fact, the former would prove far stronger than the latter. The result is obvious. The surplus, be it ever so great, would be absorbed by appropriations, instead of being invested in the stock, and the scheme, of course, would, in practice, prove an abortion; which brings us back to the original inquiry; how is the surplus to be disposed of until the excess shall be reduced to the just and economical wants of the government?

After bestowing on this question, on the successful solution of which so much depends, the most deliberate attention, your committee, as they have already stated, can devise but one means by which it can be effected; and that is an amendment of the constitution, authorising the temporary distribution of the surplus revenue among the states till the year 1843, when, as has been shown, the income and expenditure will be equalized.

Your committee are fully aware of the many and fatal objections to the distribution of the surplus revenue among the states, considered as a part of the ordinary and regular system of this government. They admit them to be as great as can be well imagined. The proposition itself, that the government should collect money for the *purpose of such distribution*, or should distribute a surplus for the purpose of *perpetuating taxes*, is too absurd to require refutation; and yet, what would be, when applied as supposed, so absurd and pernicious, is, in the opinion of your committee, in the present extraordinary and deeply disordered state of our affairs, not only useful and salutary, but indispensable, to the restoration of the body politic to a sound condition; just as some potent medicine, which it would be dangerous and absurd to prescribe to the healthy, may, to the diseased, be the only means of arresting the hand of death. Distribution, as proposed, is not for the preposterous and dangerous purpose of raising a revenue for distribution, or of distributing the surplus as a means of perpetuating a system of duties or taxes; but a temporary measure to dispose of an unavoidable surplus, while the revenue is in the course of reduction; and which cannot be otherwise disposed of without greatly aggravating a disease, that threatens the most dangerous consequences; and which holds out hope not only of arresting its further progress, but also of restoring the body politic to a state of health and vigor. The truth of this assertion, a few observations will suffice to illustrate.

It must be obvious on a little reflection, that the effects of a distribution of the surplus, would be to place the interests of the states, on all questions of expenditure, in opposition to expenditure; as every reduction of expense would necessarily increase the sum to be distributed among the states. The effect of this would be to convert them, through their interests, into faithful and vigilant sentinels, on the side of economy and accountability in the expenditures of this government, and would thus powerfully tend to restore the government, in its fiscal action, to the plain and honest simplicity of former days.

It may, perhaps, be thought by some, that the power which the distribution among the states would bring to bear against the expenditure, and its consequent tendency to retrench the disbursements of the government, would be so strong as not only to curtail useless or improper expenditure, but also the useful and necessary. Such undoubtedly would be the consequence if the process were too long continued; but, in the present irregular and excessive action of the system, when its centripetal force threatens to concentrate all its powers in a single department, the fear that the action of this government will be too much reduced by the measure under consideration, in the short period to which it is proposed to limit its operation, is without just foundation. On the contrary, if the proposed measure should be applied in the present diseased state of the government, its effect would be like that of some powerful alterative medicine, operating just long enough to change the present morbid action, but not sufficiently long to superinduce another of an opposite character.

But it may be objected, that though the distribution might reduce all useless expenditures, it would, at the same time, give additional power to the interests in favor of taxation. It is not denied, that such would be its tendency; and, if the danger from increased duties, or taxes, was, at this time, as great as that from a surplus revenue, the objection would be fatal; but it is confidently believed that such is not the case. On the contrary, in proposing the measure, it is assumed that the act of 2d March, 1833, will remain undisturbed. It is on the strength of this assumption that the measure is proposed, and, as it is believed, safely proposed.

It may, however, be said that the distribution may create, on the part of the states, an appetite in its favor, which may ultimately lead to its adoption as a permanent measure. It may indeed tend to excite such an appetite, short as is the period proposed for its operation, but it is obvious, that this danger is far more than countervailed by the fact that the proposed amendment to the constitution, to authorise the distribution, would place the power beyond the reach of legislative construction; and thus effectually prevent the possibility of its adoption as a permanent measure; as it cannot be conceived that three-fourths of the states will ever assent to an amendment of the constitution to authorise a distribution, except as an extraordinary measure, applicable to some extraordinary condition of the country, like the present.

Giving, however, to these, and other objections which may be urged, all the force that can be claimed for them, it must be remembered the question is not whether the measure proposed is, or is not, liable to this or that objection, but whether any other less objectionable can be devised; or rather, whether there is any other, which promises the least prospect of relief, that can be applied. Let not the delusion prevail, that the disease, after running through its natural course, will terminate itself, without fatal consequences. Experience is opposed to such anticipations. Many and striking are the examples of free states perishing under that excess of patronage, which now afflicts ours. It may, in fact, be said with truth, that all, or nearly all, diseases which afflict free governments, may be traced directly or indirectly to excess of revenue and expenditure; the effect of which is to rally around the government a powerful, corrupt and subservient corps—a corps ever obedient to its will and ready to sustain it in every measure, whether right or wrong, and which, if the cause of the disease be not eradicated, must ultimately render the government stronger than the people.

What progress this dangerous disease has already made in our country, is not for your committee to say; but when they reflect on the present symptoms, on the almost unbounded extent of executive patronage wielded by a single will; the surplus revenue, which cannot be reduced within proper limits in less than seven years, a period which covers two presidential elections, on both of which all this mighty power and influence will be brought to bear, and when they consider that, with the vast patronage and influence of this government, that of all the states, acting in concert with it, will be combined, there are just grounds to fear that the fate which has befallen so many other free governments, must also befal ours, unless, indeed, some effectual remedy be forthwith applied. It is, under this impression, that your committee has suggested the one proposed, not as free from all objections, but as the only one of sufficient power to arrest the disease, and to restore the body politic to a sound condition; and they have accordingly reported a resolution so to amend the constitution, that the money remaining in the treasury at the end of each year till the 1st of January, 1843, deducting therefrom the sum of 2,000,000 dollars to meet current and contingent expenses, shall annually be distributed among the states and territories, including the District of Columbia, and, for that purpose, the sum to be distributed, to be divided into as many shares as there are senators and representatives in congress, adding two for each territory, and two for the District of Columbia; and that there shall be allotted to each state a number of shares equal to its representation in both houses; and to the territories, including the District of Columbia, two shares each. Supposing the surplus to be distributed should average $9,000,000 annually, as estimated, it would give to each share $30,405; which, multiplied by the number of senators and representatives of any state, would show the sum to which it would be entitled.

The reason for selecting the ratio of distribution proposed in the amendment, is so obvious as to require but little illustration. It is that which indicates the relative political weight assigned by the constitution to the members of the confederacy respectively; and, it is believed, approaches as nearly to equality, as any other that can be selected. It may be objected, that some states, under the distribution, may receive more and others less than their actual contribution to the treasury, under the existing system of revenue. The truth of the objection may be acknowledged, but it must also be acknowledged that the inequality is at least as great under the present system of disbursements, and would be as great under any other disposition of the surplus that can be adopted.

But as effectual as the distribution must be, if adopted, to retrench improper expenditure, and reduce correspondingly the patronage of the government; yet other means must be added to bring it within safe limits, and to prevent the recurrence hereafter of the danger which now threatens the institutions and the liberty of the country; and, with this view, your committee have reported a bill to repeal the first and second sections of the act to limit the term of certain officers therein named, passed 15th May, 1820; to make it the duty of the president to lay before congress, on the first of January next, and on the first of January every four years thereafter, the names of all defaulting officers and agents, charged with the collection and disbursement of the public money, whose commissions shall be vacated from and after the date of such message; and also to make it his duty in all cases of nomination, to fill vacancies occasioned by removal from office, to assign the reason for which said officer may have been removed.

The provisions of this bill are the same as those contained in bill No. 2, reported to the senate on the [illegible] May, 1826, by a select committee appointed to "inquire into the expediency of reducing the patronage of the government of the United States," and which was accompanied by an explanatory report, to which your committee would refer the senate; and, in order to facilitate the reference, they have instructed their chairman to move to reprint the report for their use.

But the great and alarming strides which patronage has made in the short period that has intervened since the date of the report, has demonstrated the necessity of imposing other limitations on the discretionary powers of the executive, particularly in reference to the general post office, and the public funds, on which important subject the executive has an almost unlimited discretion, as things now are.

In a government like ours, liable to dangers so imminent from the excess and abuse of patronage, it would seem extraordinary, that a department of such vast powers, with an annual income and expenditure so great; and with a host of persons in its service, extending and ramifying itself to the remotest point, and into every neighborhood of the union, and having a control over the correspondence and intercourse of the whole community, should be permitted to remain so long without efficient checks, or responsibility, under the almost unlimited control of the executive. Such a power, wielded by a single will, is sufficient, of itself, when made an instrument of ambition, to contaminate the community, and to control, to a great extent, public opinion. To guard against this danger, and to impose effectual restrictions on executive patronage, acting through this important department, your committee are of the opinion, that an entire re-organization of the department is required; but their labor, in reference to this great subject, has been superseded by the committee on the post office, which has bestowed so much attention on it, and which is so much more minutely acquainted with the diseased state of the department than your committee can be, that it would be presumption on their part to attempt to add to their recommendation.

But, as extensive and dangerous as is the patronage of the executive, through the post office department, it is not much less so in reference to the public funds, over which, as has been stated, it now has unlimited control, and, through them, over the entire banking system of the country. With a banking system spread from Maine to Louisiana; from the Atlantic to the utmost west; consisting of not less than five or six hundred banks, struggling among themselves for existence and gain; with an immense public fund under the control of the executive, to be deposited in whatever banks he may favor, or to be withdrawn at his pleasure; it is impossible for ingenuity to devise any scheme better calculated to convert the surplus revenue into a most potent engine of power and influence: and, it may be added, of peculation, speculation, corruption and fraud. The first and most decisive step against this danger is that already proposed, of distributing the surplus revenue among the states, which will prevent its growing accumulation in the banks; and with it the corresponding increase of executive power and influence over the banking system. In addition, your committee have reported a bill to charge the deposite banks at the rate of —— per centum per annum, for the use of the public funds, to be calculated on the average monthly deposites; to prohibit transfers, except for the purpose of disbursements; and to prevent a removal of the public funds from the banks in which they are now, or may hereafter be deposited, without the consent of congress, except as is provided in the bill. The object of the bill is to secure to the government an equivalent for the use of the public funds; to prevent the abuses and influence incident to transfer warrants; and to place the deposite banks, as far as it may be practicable, beyond the control of the executive.

In addition to these measures there are, doubtless, many others, connected with the customs, Indian affairs, public lands, army, navy, and other branches of the administration, into which, it is feared, there have crept many abuses, which have unnecessarily increased the expenditures, and the number of persons employed, and with them the executive patronage; but to reform which would require a more minute investigation into the general state of the administration than your committee can at present bestow. Should the measures which they have recommended receive the sanction of congress, they feel a strong conviction that they will greatly facilitate the work of carrying accountability, retrenchment, and economy through every branch of the administration, and thereby reduce the patronage of the executive to those safe and economical limits, which is necessary to a complete restoration of the equilibrium of the system, now so dangerously disturbed. Your committee are deeply impressed with the necessity of commencing early, and of carrying through to its full and final completion this great work of reform.

The disease is daily becoming more aggravated and dangerous, and if it be permitted to progress for a few years longer, with the rapidity with which it has of late advanced, it will soon pass beyond the reach of remedy. This is no party question. Every lover of his country, and of its institutions, be his party what it may, must see and deplore the rapid growth of patronage, with its alarming abuses, and the certain catastrophe which awaits its further progress, if not timely arrested. The question now is not how, or where, or with whom it originated, [illegible] have been endangered, and how they are to be rescued

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THE PAST—THE PRESENT—FOR THE FUTURE.

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The *Boston Fusileers* have paid us a visit in the present week. They are very exact in their military discipline; and their splendid brass band excited universal admiration. They left us yesterday morning.

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The late "*strikes*" of the working people at New York, Philadelphia, &c. will bear heavily on individuals who had contracted to perform certain services for stipulated sums of money—which is a very general practice among mechanics. The diminished labor performed is equal to the loss of one day in a week, or 20 per cent.—a very serious advance, indeed, on contractors. But the prices will, after a while, proportionably decline. Many houses will not be built, in the present year, that had been intended. Time and price will find their level as surely as water.

—

Five of the Spanish pirates convicted at Boston, have been executed. They died asserting their innocence—and a Spanish priest, as they were about to suffer, said with a loud voice, "*Spaniards, ascend to heaven!*"* Those hung were the captain Gibert, with Montenegro, Garcia, Castillo and Boyga. De Soto was respited for 60 days, and Ruiz for 30. An immense crowd of spectators attended.

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About a million and a quarter of dollars were exported from Boston and New York, during the month of May. Has a turn of the tide taken place?

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A few cases of cholera have happened at Maysville, Ky. and several of them terminated fatally. It seems to be the same disease that appeared before, with its "premonitory symptoms," &c.

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The "African Repository" for June mentions several cases in which about 100 slaves have been emancipated, by will, if agreeing to go to Liberia.

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The *Detroit Journal* says—

Buying and selling is the order of the day. Our city is filled with speculators who are all on tip toe. Several snug fortunes of from ten to twenty thousand dollars, have already been made. Governor Cass has disposed of the front part of his farm, as far back as Larned street, for one hundred thousand dollars. Extensive improvements are rapidly making in Detroit: our city authorities are authorised to obtain a loan of one hundred thousand dollars, and ourselves think seriously of advertising *for sale* a number of bad debts.

—

The "spoils of victory" from the great bear hunt, which lately took place near Middleborough, Vt. were, 6 wolves, 12 bears, 3 catamounts, 24 wild cats, 2 deer, 30 foxes, 5 hedgehogs, 15 rabbits, 4 woodchucks.

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Three young ladies took the veil at Georgetown, Col. on Tuesday morning last—Miss Stonestreet, Miss Jenkins and Miss McGary.

—

We learn from the *Georgia* newspapers that the Cherokees have rejected the late treaty, thro' the "Ross party"—and that they had committed acts of violence, &c.

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Some anxiety has been expressed to know *who* was the Mr. *Rucker*, that represented the state of Tennessee in the late Baltimore convention, *how* he was appointed and *whom* he represented—"fresh from the people" of that state! The following is an extract of a letter from the gentleman, to the editor of the Nashville "Union," and explains the why and wherefore of his appearance in that body:

Extract from Mr. Rucker's letter to the editor of the Union.

Sir: You will discover my name introduced into the proceedings of the Baltimore convention. To prevent all misunderstanding, I make the following statement. I was not delegated to act in that convention. I happened to be in Baltimore at the time of its sitting, and after the delegates from the different states had their credentials examined by the committee appointed for that purpose, there appeared to be no one present representing Tennessee. This circumstance seemed to be deeply regretted by many, and upon its being mentioned that I was there, and a Tennessean, it was suggested by some that I might vote, which I accordingly did.

—

We learn from the Pittsburgh Gazette of the 11th inst. that at the Wolf convention, held in that city on the 10th inst. resolutions approving the administration of general Jackson, especially in relation to our French affairs, were rejected by a decided majority. The Wolf men all voting against the resolutions and the Muhlenbergers for them. Another resolution, approving the nomination of Martin Van Buren and Richard M. Johnson, was also rejected by the same vote.

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The following may be truly regarded "important," with respect to the navigation of canals, as shewing that a high speed may be obtained upon them—

From the Rochester (N. Y.) Daily Democrat.

Unparalleled speed upon the canal. On Saturday, some forty or fifty of our citizens took a ride upon one of the new line packet boats, designed to run between this city and Buffalo. The boat is made considerably narrower than the ordinary packets; is exceedingly light, and finished in the most elegant manner. It is a sample of the workmanship of our enterprising and faithful fellow citizen Seth C. Jones, who has for some time, we understand, been of opinion, that a boat might be so constructed as to be drawn by horse power, at the rate of 10 or 12 miles to the hour. The test on Saturday was a delightful realization of the fact. Although the horses were unaccustomed to the business, and for four or five miles of the distance, were exceedingly fractious and hard to manage, the ride was completed in two hours and thirty-four minutes, a distance of *twenty four miles*, including changes of horses and a short stop at Spencer's basin. It is found by experiments, that when the boat is propelled at the rate of seven and a half or eight miles to the hour, it rides upon the swell, creates less commotion in the canal than the common packets at four miles to the hour, and requires, we believe, about the same power to draw it. An enterprising company has been formed to run a daily boat of this size to Buffalo, leaving Rochester after breakfast and going through by daylight, a distance of ninety five miles! This will be "*going a-head*" on the "rail road principle," and those who are going from this to Buffalo, or from Buffalo here, we think it will not be difficult to say how they will go.

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The bank of *Darien*, Geo. has been robbed of about 100,000 dollars in bank notes, and 7 or 8,000 dollars in specie, principally gold—for the recovery of which a reward of $5,000 is offered.

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The lands owned in the state of Maine, by that state and the state of Massachusetts, were lately put up at public sale at Bangor. The Bangor Whig says that the sale exceeded the anticipations of the most sanguine; and what adds to the confidence of the public and of the proprietors in the value of *timber lands*, is, the important fact, that a large proportion of the quantity sold was purchased by experienced practical men, who judge of its value by what they know can be realized by manufacturing the lumber for the market. A half township in mile sections, which was appraised by the state at about $43,000, was sold at $108,000, to a company, who intend to operate upon it. One full township, which was purchased some time since for 25 cents, sold at $12 the acre—the advance upon the first cost being upwards of $215,000!! The company was numerous, and composed of men of capital from all the New England states, besides many gentlemen from New York and the south.

—

The New Orleans Bee has the following letter from Texas, dated *San Felippe*, 13*th May*, 1835:

*If persons would insure a safe passage to heaven, they should do something to render them unfit to live upon the earth! This is not the first case of the kind that has happened. We had a memorable instance in Baltimore, some years ago!

Santa Anna has been declared *dictator*, and will no doubt shortly be *emperor* or *protector*. In that event Texas will be surely transferred to the United States.

The state congress has granted a charter for a bank of one million capital in Texas. It will be a good thing.

The country is flooded with strangers. Every day brings more of them. But we have a remarkably dry season, and I fear no crops will be made this year.

—

The legislature of Louisiana, at the last session, made liberal grants, amounting in all to $363,775, to 3 literary institutions in that state, viz: $48,775 to the college of Jefferson, for the payment of the debts of the college, contracted in the erection of buildings; $15,000 annually to the same college for the period of ten years, and a like sum for the same period to Louisiana college, to enable them to pay the salaries of their professors, and to lower the rates of boarding and tuition; and $15,000 to the Franklin college. The said sums to be paid out of the treasury of the state.

—

One hundred teams and two hundred men are just now engaged in Boston in removing a hill from the middle of the city—that on which stood the house of the late Gardner Greene, esq. surrounded by a spacious garden. It is of gravel, and is computed to contain seven millions of square feet, which it will take the above force 4 months to transfer to the depot of the Lowell rail road, where an immense filling up is required. But for this timely necessity of the rail road, the hill would probably not have been cut down, for want of a place to deposite it.

—

A letter received over-land from *Lima*, Peru, informs us of another revolution that was affected by *general* Salaverry, who had seized the castle and driven out the government!

FOREIGN NEWS.

An arrival at New York furnishes us with extracts from London papers of the 15th May.

Lord John Russell, having been defeated in Devonshire, is a candidate for the *borough* of *Stroud*, in the place of col. Fox. Lord Morpeth had a majority of 2,800 in Yorkshire.

It is a beautiful commentary, (says a London paper), upon the crusade which the destructives waged against the boroughs, to see how glad they are themselves to use them. Indeed lord Melbourne could not have organized his government without them, since but a small number of the members of this administration dared venture to run in the counties. Before lord John Russell's defeat in South Devon, the ministers had been driven to bring in nine of their members upon Scotch boroughs. Lord John will make the tenth boroughmonger in the government, which has affected to hold the boroughs in such abhorrence.

Liverpool and Manchester rail road stock sold on the 13th May at £195 per share for the £100.

Five persons were killed by the explosion of two steam boilers in a sugar house, near Liverpool.

The Constitution frigate had arrived at Portsmouth, Eng. with Mr. Livingston and his family. Salutes were given and exchanged.

A great dinner had been given to sir Robert Peel, by the merchants and bankers of the city of London, at the Merchant Tailors' Hall, Thread-needle street—at which he made a long speech that was much applauded.

Parliament had reassembled. The British stocks were not lively. The following were the prices of American on the 14th May—

New York 6 per cent. 1837, 97; 5 per cent. 1845, 102 102½; Pennsylvania 5 per cent. 1855—62, 101½ 102; Ohio 6 per cent. 1863, 113-14; Louisiana, Barings, 102 102½; Mississippi 6 per cent. 58, dis new, 108 109½; United States, £23; Louisiana state bank, £26 10; bank of do. £27 10; New Jersey canal and bay do. 105.

There is nothing [illegible] affairs from France. The only news concerns the prosecution and punishment of the Lyonese prisoners, and others, for political offences.

It has long been [illegible] that the prisoners had been arraigned for effect, it being understood that a pardon was to follow conviction. The court, was, by this plan, to get credit for magnanimity, but the business was badly managed. They were arraigned in hundreds, and set up such a clamorous opposition, that they confounded their judges. Ultimately they are to be tried without being present.

The latest intelligence from Algiers is to the 7th of May. Hostilities had commenced between the French and the Arabs. Ould-ou-Rabah, at the head of a large body of Arabs, had attacked the French advanced posts at Bugia. Colonel Lemercier in vain objected to that chief that his having a few days before signed a treaty of peace with him; he would listen to no arrangement, but continued his attack. The French lost a good number of men, but succeeded in driving back the Arabs. Col. Lemercier compelled M. Lowassy, who had taken upon himself to conclude the treaty, to embark on board the Chimera for Algiers, in order to account for his conduct to the governor.

Gen. Valdez, commander of the queen's troops, had gained some advantages over the Carlist forces. The war, however, is carried on feebly.

The cortes are very busy in looking about for another husband for the young queen of Portugal—though it does not appear that she has consented to such a proceeding.

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THE CIVIL WAR IN MEXICO.

The following information touching the progress of the civil war in Mexico comes to us through the New Orleans Bee of the 2d instant:

Head quarters, Zacatecas.

I have to inform his excellency the minister of war and of the marine that yesterday the 11th of May, at 9 A. M. the troops of the general government of the union obtained a splendid triumph over the forces commanded by Don Francisco Garcia, exceeding 5,000 men: and possessing a grand train of artillery. Two hours of a very bloody action on the plains of Guadaloupe sufficed to secure us a victory that our enemies had hoped to obtain by their warlike appearance, and the manœuvres they performed on the field where they had the hardihood yesterday morning to establish their camp. At 5 o'clock, I attacked them at various points not having with me more than 3,400 men of all the troops composing my army of operations; and although I could have procured a greater number of troops, yet I chose to offer battle with those I met at Aguascalientes, that my operations might not be delayed. All has fallen into my power: cannons, arms, artillery and about 800 prisoners. The field of battle presented a most dreadful spectacle. On our side there were about 100 men killed and wounded. Torrents of blood flowed by the caprice of Don Francisco Garcia, and the other guilty chiefs—who blind and obstinate refused to comply with the proposals that I had made them; at the same time that they uttered the contained printed documents and the gross reply that they made me. Soon as this triumph was obtained, I marched rapidly without losing a moment to try to seize immediately all the fortifications, magazines and depots, and as many prisoners as possible of those who were prepared to offer me resistance: and I have taken possession of the whole city.

His excellency general Pedraza, at the head of 500 cavalry, will continue this action on his march on Fresnillo and Sombrerete. I am desirous of giving you a detail of all my operations; and I shall also give you in [illegible] details of the affairs of this day, when I shall have more leisure. The generals, officers and all the troops [illegible] have preserved their dignities, all in [illegible] praise.

I can now [illegible] congratulate the government on a triumph which must consolidate the peace and welfare of the nation; and express my regret for the loss of those Mexicans, who have been sacrificed in the defence of the [illegible] the [illegible] rebellious must render [illegible] the [illegible] for the evils they have occasioned.

Please [illegible] from his excellency the president [illegible] satisfaction, and accept the assurance of my [illegible] esteem.

God [illegible] liberty. Head quarters, Zacatecas, 12th of May, 1835.

ANTONIO LOPEZ DE SANTA ANNA.

P. S. Since the above was written, I have made 2,700 prisoners of the enemy.

A. L. DE SANTA ANNA.

I submit the above for your knowledge and satisfaction—and I request you meantime to give the greatest possible publicity to the news—that those who regard the good order and prosperity of the nation may rejoice with us in a triumph which must contribute powerfully to maintain that order and prosperity, that the anarchists may learn their feeble power, and that the republic has to fear nothing from their destructive projects.

The conduct of Santa Anna, on entering the city of Zacatecas, was such as to increase the animosity of the people, and the revolt against his authority was still spreading. General Alvarez yet maintained himself at Texca. In the state of Chiapa, which had heretofore remained tranquil, the people had risen on the troops, killed their commander col. Perez, and proclaimed their adhesion to the *grito* of Zacatecas.

AFFAIRS WITH FRANCE.

From the N. Y. American.

The packet ship *Havre*, capt. *Stoddard*, arrived here yesterday from Havre. The files of Paris journals we have received by her are to the 22th April from Paris, and 30th from Havre.

The annexed letter to us from France, though not late, presents the views of an experienced and intelligent man.

April 30th, 1835. You will probably have heard ere this gets to hand, that the 25 millions have been voted, coupled with a condition, however, which all well informed Americans consider as placing the affair on a worse footing than it stood before. Frenchmen are of a different opinion! they consider, and especially the opposition, the condition, to be nothing; as you will learn, if you happen to see any of the opposition prints, the Constitutionnel, National and Courier Francais, &c.

The American minister will probably embark in two or three days, with his family, that is, as soon as the Constitution, hourly expected from Cherbourg, where she went to take on board water, shall arrive. It is evident from this step of the minister, seeing that from the published instructions to him, he was to retire to England or Holland in the event of the vote being favorable, that he considers the condition as amounting to a rejection of the grant. He leaves his secretary as charge d' affaires, to remain, probably, till the chamber of peers shall have considered the law, and if voted in the shape it will be presented, to follow him; but this is only conjecture, as no one here knows what instructions the minister, under these circumstances, may have thought proper to give.

The most singular circumstance in the unexpected turn which this business has taken, is, that the man, who on both sides of the water, was considered to be the best person to carry it through, should have been the very one to accept the amendment which now makes all the difficulty. It was believed for several days, that seeing his error, he would have sought means of getting over it, as he might have done, by having the amendment set aside in the chamber of peers, bringing the bill back to the other house, where he would, as it is believed, have found a majority equal to that which rejected two or three other amendments. But the expose made by the count de Rigny upon the presentation of the law instead of mending, has made the matter worse, by, stating, that as all diplomatic intercourse between the two countries is at an end, so the matter would rest till the U. States shall think proper to take the *initiative*.

Upon this flourish the National satirically remarks, that it was well known from the position of the parties, that the American government must speak first, the money being voted, a receipt must naturally be sent, or a draft drawn, &c.

The tone of the expose has been matter of surprise, as it was not called for by any thing which has met the public eye. It is supposed to be the consequence of something contained in the correspondence of the American minister, in asking the explanation of the last note of M. Serrurier, presented to the American government upon his recall.

It is not seen what explanation can be expected here. The correspondence published, shows that Mr. Livingston took upon himself to explain the message of the president, and his conduct was approved by his government.

The duke de Broglie appears to have surprised every body, in the course he has taken, from the king, down. The king has always shown great anxiety to have the affair settled, and, perhaps, M. de Broglie, owes his situation in the government, more to this circumstance, than any other. The king is displeased, the majority which has voted with the government, is displeased, and his own colleagues, who were not consulted before he accepted the amendment, are displeased. The opposition are not pleased, because they cannot bring themselves to believe that he will ask any thing worth having. Such is the life of a public man. To-day, all praise—to-morrow, all censure—neither being entirely merited. De Broglie has the reputation for being a high-minded, honest, man.

There is an intimation in this letter, that possibly admiral *Rigny's* remarks, on presenting the indemnity bill in the house of peers, take their color, from dissatisfaction with the tone which Mr. Livingston may have employed in asking explanation concerning M. *Serrurier's* last note.

If this be so, though we perceive nothing amiss in those remarks, it is only another source for regret, that a matter, simple enough in itself, should have been rendered complex by bad management on both sides.

We take from the Courier & Enquirer, a translation of the remarks of M. de Rigny, above referred to, which contemplate, it will be seen, that the first step towards adjusting this controversy, must be taken by this country.

There are some inaccuracies in this translation; the only one worthy of note, however, is that where the word, *insolite*, unusual, is rendered insulting—in this sentence—"the chamber of deputies perceived how *insulting*, and offensive, would be a clause," &c.

Chamber of peers, session of 27th April.

Admiral de Rigny—Gentlemen, our colleague, M. Humann, minister of finances, being indisposed, has requested me to take on myself the presentation to this chamber, of the project of a law which I am about to have the honor to submit to them. (Marked attention.)

Gentlemen, the king has directed us to present to you the project of a law which has just passed the chamber of deputies. To insure the execution of the treaty concluded on the 4th of July, 1831, between France and the United States, is the object of this law.

The treaty itself has for some months been before you. It is not necessary that we should recall to your recollection its different stipulations. The circumstances which have given rise to the indemnity agreed to be paid by France, the principles on which we have set out in fixing the amount of that indemnity, the settlement in relation to the 8th article of the treaty of Louisiana, the advantages obtained for our wines on the one hand, and on the other those agreed to be given to American cotton; all these details are in a greater or less degree before you, all have acquired for some time past a notoriety which renders it unnecessary that I should now analyze them.

All the documents which have been communicated to the other chamber will be placed at your disposal. You will probably think proper to confide the examination of them to a committee, and on this committee it will be incumbent to present to you an historical account of events and the result of calculations growing out of them.

But while we believe that we may rely on that committee, to perform this task, which it alone can perform in its full extent, we think that we owe you some elucidations as to the situation in which France now finds itself placed, as regards the republic of the United States.

You are aware of the steps taken by the government of the king the very instant the message of the president of the union, on the opening of the last congress, was received in Europe. You know that at a future day a similar measure was taken by president Jackson. The two ministers reciprocally accredited by the two governments were both recalled. The effect of this double recall is at this moment, if not that of interrupting in all respects the diplomatic relations between the two countries, at least that of interrupting them in all that relates to the treaty of the 4th of July.

If these relations are to be renewed, and we do not doubt that they will be, it is not for us under the present state of things, to take the initiatory steps towards such renewal.

We have shown the government of the United States how distant it is from our thoughts to avail ourselves of a justifiable displeasure, to dispense with the payment of a debt. We have exerted ourselves by all honorable means to acquire the means of paying this debt. There our task is ended. We cannot reopen any communication on this point—we expect and we believe that a proposal will be made us, to do it in language which will remove every trace of an unfortunate misunderstanding.

This line of conduct, gentlemen, was dictated to us by the relative position of the two states. The chamber of deputies so comprehended it. It has thought proper to adopt it, it has thought proper to introduce it in the law. We had no reason to object to such an amendment.

Another amendment was presented, the object of which was to submit to official publicity the explanations which we have a right to expect from the government of the United States. This amendment was dispensed with at the demand of government. The chamber of deputies perceived how insulting and offensive would be a clause in the bill to this effect.

The dignity of France must be consulted, but it is necessary that a reconciliation should take place on conditions equally honorable to both parties. The object now is, to obtain explanations, but not to dictate a course of conduct which might irritate the sensitiveness of an independent state. Or to speak more correctly, our object now is to open the door to a renewal of those intimate and friendly relations which ought never to have ceased to prevail between the two countries united by so many ties and by so many recollections. The object is to appeal to the old attachment of the American union. It is not the intention to require of her aught which France in her position would refuse.

It is with this political feeling, at once conciliatory and firm, that we propose, gentlemen, to carry into execution the law now submitted to your deliberation, and which we hope will receive the suffrages of this chamber.

From Galignani's Messenger of April 30.

"Our readers will recollect, that, on the anniversary of St. Philip, last year, some French seamen on board the Suffrein ship of the line, were accidentally killed, and others disabled, on firing a salute from the American frigate, the United States. When the news of this unfortunate event arrived at Washington, the president immediately communicated it to congress, and a law was immediately passed granting to the disabled seamen, and to the relations of those who were killed, a pension of twice the amount paid to American seamen under like circumstances; and the minister here was commissioned to procure information of the number of sufferers, and the nature of the disabilities of the survivors. This inquiry was immediately made through the secretary of state, but the information was not until very lately procured. We now learn that the day previous to the departure of Mr. Livingston, the minister of the United States, who left on Wednesday evening for Havre, that gentleman signed a convention with the duke de Broglie, by which an annual pension of $120 was secured to be paid during life to each of the sufferers, and a like sum to the parents of those who were killed."

The following paragraph from the Paris *Courier*, of the 26th April, evinces no little ignorance on certain points, but discloses some facts of importance—supposing them to be correctly stated. If it be true that Mr. *Livingston* made the demand which is stated, it may account for the language of the *duke de Broglie*, in the house of peers, on moving the concurrence of that house in the bill of indemnity:

From the Courrier Francais.

"It will be recollected that gen. Jackson, in communicating to congress the negotiations relative to the 25 millions, withheld the last note delivered by M. Serrurier at the moment of his recall, under the pretext that the government of the union ought to seek reparation from the French government. In fact, we are assured that Mr. Livingston *has just addressed to the duke de Broglie a note, in which he demands, in the name of the United States, explanations upon certain passages of M. Serrurier's diplomatic memorial, which have offended the president.* These tactics, undoubtedly, are merely reprisals, after the amendment added by the chamber of deputies to the treaty of the 25 millions, and we are of opinion that the ministry would be wrong to take Mr. Livingston's note in a serious light. Besides, the Americans have found too much advantage in this swaggering diplomacy not to employ it in their relations with France. If we are well informed, Mr. Livingston has openly said that neither the actual president, nor his successor, whoever he may be, will ever consent to retract or explain president Jackson's message. It is even stated that he added that his return to the United States would be the signal for the non-*intercourse bill* between the two countries. This may be Mr. Livingston's personal opinion, but the rupture could be profitable only to the commerce of England. The men who represent the United States may forget this, but the people, who are something in that country, will remember it."

OHIO AND MICHIGAN.

The Columbus (Ohio) Gazette contains the message of governor Lucas to the legislature of Ohio, convened by him in extra session on the 8th June, to take into consideration the territorial controversy with Michigan. It will be recollected that, at its last session, the legislature passed resolutions declaring that the territory in dispute constituted an integral part of the state, and authorised the governor to take all measures necessary to assert and maintain jurisdiction over it.

Governor Lucas states to the legislature what he has done, and complains in strong language of the outrages which have been committed against the inhabitants of the territory in dispute, citizens of Ohio. Our readers will be able to form an idea of the spirit in which the message is written from the following paragraph relating to Mr. Butler's opinion, published some time since in the Globe:

"The commissioners of the United States handed to me a document during our conference, as they said at the request of Mr. Forsyth, which I found to be the opinion of the attorney general. This opinion, I was fully satisfied on examination, would, in its tendency, counteract the laudable exertions of the president and his commissioners, which the sequel proved; for it was proclaimed by the authorities of Michigan, as a justification of their acts; and it is a subject worthy of remark, that all the proceedings at Washington were entirely *ex parte;* that the three letters from the secretary of state were written; the opinion of the attorney general drawn up; and the commissioners appointed and had left Washington, before my answer could have been received, or any thing correctly known of the intentions or movements of Ohio. These letters of Mr. Forsyth, and the opinion of the attorney general, were evidently dictated under feelings highly excited and unfavorable to Ohio, as is manifest from their contents."

The following, from the end of the message, exhibits still more strongly the disposition of the governor:

"Gentlemen—The whole subject is now before you for consideration. The question necessarily arises, what shall be done? Shall we abandon our just claims, relinquish our indisputable rights, and proclaim to the world that the act and resolutions of the last assembly were mere empty things? Or, rather, shall we not (as was declared in said resolutions to be our duty) prepare to carry their provisions into effect? The latter, I doubt not, will be your resolution; and I trust that, by your acts, you will manifest to the world that Ohio knows her constitutional rights; that she has independence enough to assert them; and that she can neither be seduced by flattery, baffled by diplomatic management, nor driven by menaces from the support of those rights. And, gentlemen, you may rest assured, that whatever measures, in your wisdom, you may direct, will be faithfully pursued by the executive to the full extent of his constitutional power, and the means that may be placed under his control."

UNITED STATES BANK.

Principle items in the monthly statement of the United States bank for 1st June.

Loans on personal security	31,761,155 45	
bank stock	1,402,286 71	
other securities	5,624,351 41	
	38,787,793 57	
Domestic bills of exchange	24,854,852 47	
		63,642,646 04
Baring, Brothers & Co.		1,890,753 79
Specie		13,912,577 47
Redemption of public debt		282,896 09
Treasurer of the United States		510,999 14
Public officers		1,016,665 89
Individual deposites		10,549,197 56
Circulation		22,009,474 40
Due from banks		4,000,158 49
Due to banks		4,691,857 79
Notes of state banks		3,018,066 45

STATISTICS.

The number of acres held in Ireland by the Irish Protestant church, exceeds the number of persons professing that creed.

In England 26 prelates administer to about six millions out of a population of eleven millions.

In Ireland 18 prelates administer to about half a million, out of a population exceeding seven millions, of which six millions are Roman Catholics.

In England several bishops receive only £2,000 or £3,000 a year.

In Ireland none receive less than £4,000 and some £15,000. The total quantity of *profitable* lands attached to the sees and glebes in Ireland, is about 609,000 acres, valued at so many pounds sterling income, and more than sufficient to support all the church establishment, while the wastes would be valuable sources for the poor. Yet in addition to the above lands the English government have the hardihood to wish to saddle the people of Ireland, who are thirteen fourteenths of them Catholics, with an additional burden of £600,000 in tithes!

The Catholic church at present consists of 671 bishoprics, 55 cardinals, and 12 patriarchs. The present Pope, who is 73 years of age, has created six new bishoprics, 1 in Belgium, 1 in Westphalia, 2 in the United States, and 2 in Naples.

The foreign debt of Spain on January 1st consisted of a passive debt, the *nominal* capital of which was 1,483,664,999 rials, 34 maravedis; and of an active debt at 5 per cent. amounting to 3,162,835,710 rials, 2 maravedis. In the passive debt we find comprised the *deferred* debt of 1831, the holders of which had hoped to obtain better terms. It figures at 432,000,000 rials, *nominal* capital.

The porte has paid the Russian government 50,000,000 piastres on account of the war of indemnity.

The net public income of Great Britain and Ireland for the year ending on the 5th of January, 1835, was forty-six millions and a half pounds sterling. The expenditure for the same period was forty-five millions, leaving a surplus of a million and a half.

During the first five months of the present year, the number of arrivals at New York, from foreign places, has been 810, being 15 more than in the corresponding months of 1834. The number of passengers 9,653—less by 6,293 than that of last year.

The following is from a return made to the house of commons of the ships and tonnage that have entered inwards, and cleared outwards, in the years ending 5th January, 1834 and 1835:

Entered inwards in 1834, from British colonies and possessions, 4,582 ships of 981,375 tonnage; from foreign countries, 6,407 ships of 1,018,555 tonnage. In 1835, from British colonies and possessions, 4,920 ships of 1,015,885 tonnage; and from foreign countries, 6,758 ships of 1,092,607 tonnage. Cleared outwards in 1834, to British colonies and possessions, 4,352 ships of 765,519 tonnage; and to foreign countries, 5,192 ships of 878,375 tonnage. In 1835, to British colonies and possessions, 4,392 ships of 761,290 tonnage; and to foreign countries, 5,242 ships of 879,054 tonnage.

There are 19 universities in Germany, 11 of which are Protestants, 5 Catholic, and 3 mixed. Of the professors, 79 are of Vienna. At Vienna and Berlin each are 2,000 students. At Kiel, there are 29 professors and only 130 students. The universities best attended after Berlin and Vienna, are Prague, Leipsic, Breslaw, Halle and Heidleburg, at each of which there are more than a thousand students.

The quantity of wood consumed in the New York market, in 1833, amounted to $631,250; coal, $196,180—total, $1,187,430. In Philadelphia, in the same year, the quantity of wood consumed amounted to $741,321; coal, $404,401—total, $1,145,722. The annual consumption of coal in these cities already amounts to upwards of *one hundred and fifty thousand tons*—and as it is generally conceded that coal will in a few years almost entirely usurp the place of wood as a fuel, our readers may form an estimate of what the future consumption in the country will be, when we state that in less than *three* years, the consumption of anthracite coal in the cities of New York and Philadelphia alone, will be greater than the whole consumption in the United States was in 1832.

The New York correspondent of the Portland Advertiser, writes, under date of May 5. "The Astor hotel is rising. The front is nearly done. There is a talk of overthrowing the American hotel, and taking down all the square on which it stands for the purpose of creating another magnificent hotel to range with that of Astor's. There are not hotels enough to accommodate the thousands of travellers, who now come here. Astor, it is said, expects to have $40,000 rent for his hotel. The rent of the city hotel is nine thousand dollars."

In the anniversary address of professor Tucker, before the Virginia Historical society, the following singular fact is mentioned, as connected with the history of Virginia.

In the year 1647, lawyers were forbidden to take any fees whatever, and in 1658 *they were excluded from the legislature.*—For this uncourteous act, it must be confessed that their descendants have made the *amende honorable.* The medical profession seemed also an object of jealousy with the planter; as by another law (passed in 1546) physicians were required to swear to the value of their drugs.

Mechanical skill of the ancient Egyptians. The inner chamber contains subjects of the most interesting and diversified kind. Among these, on the left, (entering), are cabinet makers, carpenters, rope-makers and sculptors, some of whom are engaged in bevelling and squaring a stone, and others in finishing a sphinx, with two colossal statues of the king. The whole process of brick-making is also introduced. Others are employed in heating a liquid over a charcoal fire, to which are applied, on either side, a pair of bellows. These are worked by the feet, the operator standing, and pressing them alternately, while he pulls up each exhausted skin by a string he holds in his hand. In one instance the man has left the bellows, but they are raised, as if full of air, which would imply a knowledge of the valve. Another singular fact is learnt from these frescos—their acquaintance with the use of glue—which is heated on the fire, and spread, with a thick brush, on a level piece of board. One of the workmen then applies two pieces of different colored wood to each other, and this circumstance seems to decide that glue is here intended to be represented rather than a varnish or color of any kind.

[*Wilkinson's General View of Egypt.*

Great printing establishment. A London paper gives an interesting description of the extensive printing establishment of Mr. Clowes, where the publications of the celebrated publisher, Charles Knight, and of the society for the diffusion of Useful Knowledge, are printed. They are employing thirty type-founders, six stereotype-founders, seven men damping paper, and one hundred and sixty compositors. The principal composing room, where the types are set, is 270 feet long, and is filled from end to end with a double row of frames. Two steam engines are employed driving the printing machines, of which there are eight that can each throw off from 700 to 1,000 impressions per hour. There are 15 common printing presses for fine work, and 7 hydraulic presses, of 260 horse power each, for pressing paper. There is in the establishment about 1,000 works in stereotype, of which 75 are bibles. The first cost of these would amount to £100,000; the weight is about 3,000 tons, and if melted and sold for old metal, would be worth £70,000. The average quantity of paper printed amounts weekly to the astonishing quantity of 2,000 reams. When the paper makers and other tradesmen are taken into account, the men to which this establishment gives employment must amount to several thousand.

It has been estimated that the annual consumption of coffee in the United States, is not less than 80,000,000 lbs. Now, supposing that the average price is 12½c. per lb. this quantity cost $10,000,000.

The British ship Harriet, which recently arrived at Liverpool from Mobile, is said to have brought the largest cargo of cotton of any ship ever known, viz: 2,150 bales, valued at $250,000, besides 10,000 feet of plank. She measures 618 tons, and is owned by John Johnson, esq. of Liverpool.

This is a mistake. It appears by the Liverpool Journal, that the American ship George Washington brought 200,000 pounds more than the Harriet.

Of 96 robbers lately confined in a single prison in Saxony, 29 were women and girls.

Nearly 50 persons are confined in the bridewell of Devizes for offences against the game laws.

The Jewish population of Great Britain is estimated at 30,000, of which 20,000 live in London.

THE MECKLENBURG DECLARATION.

The following account of the celebration of the *Mecklenburg Declaration of Independence*, which took place on the 20th of May last, is exceedingly interesting, and is peculiarly appropriate for this work—which is chiefly intended to be a record of the past, and passing, history of our country.

From the Charlotte (N. C.) Journal.

We last week gave a hasty sketch of what took place on the 20th May, which we trust will not prevent our readers enjoying a more detailed account of the proceedings of that eventful day, although we are now compelled to repeat many things said before.

Although public expectation was much excited in regard to the commemoration of the Mecklenburg Declaration of Independence, which was held in this place on Wednesday, the 20th May, it has been more than realised. We can safely say that a larger, more respectable and more decorous assemblage of persons, has not convened in the state of North Carolina since the era of the time they met to celebrate. The day, as if in sympathy with the feelings of those who participated in the celebration, was beautiful as the fondest lover of nature could have wished—the sky was cloudless, and a refreshing breeze cooled the otherwise oppressive warmth of the sun.

The day was ushered in by the firing of cannon, and at an early hour the streets of our flourishing village were thronged by a well dressed and orderly population of both sexes, mingled with the glitter of the beautiful and appropriate uniforms worn by the regiments of cavalry and volunteers called out on the occasion. At 9 o'clock these regiments formed in line in the main street, the left resting on the court house. The counties of Mecklenburg and Cabarrus forming one on the memorable event their citizens met on this occasion to commemorate, are and ought to be justly proud of these beautiful and effective regiments. They were marched to the field, and there reviewed by general Thomas G. Polk, in the presence of the governor of the state, senator Mangum, a number of respectable citizens of this and the adjoining county being present. At 12 o'clock, the military again formed a line in the street, where they were joined by a procession in the order of citizens, strangers, revo-

lutionary soldiers, invited guests, clergymen, reader of the declaration and the orator of the day. In this order, the military in front, the procession moved to the church yard, where it opened column and changed front by moving from the rear, the revolutionary soldiers in front, in which order they approached the stand in the beautiful grove adjoining the church. Here was presented a scene, combining all that could be conceived of the gay, tasteful, beautiful or sublime. The stand itself was decorated with wreaths and festoons of evergreens and flowers, combined with a taste and skill creditable to the occasion and to the *fair* to whom we were indebted for this ornamental work. *In seats placed in front of the stand were seated the twenty seven revolutionary guests who were present on the occasion*, wearing badges of white ribbon, on which were inscribed, in large letters, the figures of '75. Whose their whitened locks—their palid cheeks—their emaciated frames produced a feeling of veneration and respect on all who beheld them; their animated features still showed that they at least were interested in the proceedings. Two of them excited a peculiar interest, general Joseph Graham and captain William Alexander—the first had been present at the declaration our citizens were now celebrating, and had been cut down and left for dead by the British dragoons, while opposing the entrance of the main body of the army under Cornwallis into Charlotte; the latter had commenced service in the revolutionary war in 1775 as captain, and what is a singular evidence of his unambitious patriotism, although distinguished by his bravery and intrepidity, fighting in almost every battle in the south, he still retained his original station. He is now blind and infirm, and cold indeed must be that heart which could look upon him unmoved. Near these few survivors of the revolutionary war, were seated the invited guests, among whom were senator Mangum, governor Swain and other distinguished citizens of the state, one of whom was col. Isaac T. Avery, the son of Waightstill Avery, one of the signers of the Mecklenburg declaration. On the right, and immediately over the revolutionary soldiers, waved a beautiful flag, presented on the occasion to the Lafayette artillery, by the ladies of Charlotte, bearing the inscription "Mecklenburg Declaration of Independence, 20th May, 1775," while the ladies themselves, with hundreds of their fair companions from this and the adjoining counties, filled row after row of the benches immediately in the rear of the revolutionary soldiers, with whom their bright eyes and smiling countenances formed a striking, but not uninteresting contrast. Behind and around these, extended the immense and numberless crowd of citizens and strangers who attended this public festival, and who were finally encircled by the military, their brilliant uniforms, glittering arms, reflecting the straggling sunbeams that occasionally shot through the almost impenetrable shade of the trees, whose green leaves rustled with a modest silence as if conscious of the respect due to the occasion. On seats higher than those of the audience and overlooking them, sat the fine Salem band, who had kindly volunteered their services, and who contributed in a high degree to the enjoyment of the occasion. Finally, just in the rear of the stand, and almost adjoining it, was situated the grave yard, where rested the bones of many a patriot and hero of the revolution, and particularly of general Thomas Polk, one of the first proposers of the Mecklenburg declaration. At such a time, and in such a scene, the reader may easily conceive that the immense crowd listened with silent stillness to an appropriate prayer, delivered with much animation and feeling, by the rev. Mr. Armstrong. After which, James W. Osborne, esq. read in a loud, distinct and feeling manner, the Declaration of Independence, made sixty years ago at this place, by the Mecklenburg whigs in convention assembled, (having prefaced the same with some animated and appropriate remarks). After an interval of time filled up by music from the Salem band, an oration was delivered by Franklin L. Smith, esq. about which, as Mr S. has, we understand, promised a copy for publication, we will only take occasion to say, that it was an effort in every way worthy, not only of the known ability of the orator, but of the event it commemorated.

At 2 o'clock, a company, consisting of between 5 and 600 persons, sat down to an elegant and sumptuous dinner, prepared by Dr. Boyd, of the Charlotte hotel, where, amid the substantial luxuries of our physical life, reigned the "flow of wit and the feast of soul," until the shades of evening darkness approached, and the gallantry of those who wished to pay their respects to the ladies at the ball, and the steady habits of others induced them to break up in good order, though in fine glee, nothing having occurred during the day to mar, in the least the general harmony. After the cloth was removed, the following regular toasts were drank, interspersed with music from the Salem band.

REGULAR TOASTS.

1. The day we celebrate—We will forever cherish it as the day which gave birth to the *first* declaration of American independence. [*Music—Hail Columbia.*

2. The Mecklenburg Declaration of Independence—In the words of the eloquent advocate of our national independence, "The genuine sense of America at that moment was never so well expressed before or since."

3 The signers of the Mecklenburg declaration—The argonauts of American independence—the sword as well as the pen—the battle field as well as the council chamber, attest the glory of their names—immortality alike to them as to the freedom which they gave.

4. Mecklenburg and Cabarrus counties—United in the *first* declaration of American independence, they will ever concur in sustaining its principles.

5. The cause of freedom—Let its advocates throughout the world look to us in our experiment that the people are capable of self government.

6. Our guest, the hon. Willie P. Mangum—The servant of the people and not of the legislature—North Carolina will stand by him as the eloquent and consistent advocate of the honor and interest of the south.

This toast was received with rapturous applause, from all parts of the table, to which senator Mangum replied in a speech of about two hours, during which he was frequently applauded by the listeners. This speech, for adaptation of style, elegance of delivery and general excellence, we have never heard equalled on such an occasion. The toast called from him a review, in some measure, of the resolutions passed by the last legislature, commonly known as the "*expunging resolutions.*" The spirit of indignation with which he treated this attempt to make him the instrument of his own dishonor—the biting sarcasm with which he alluded to the motives of those who passed them; the ridiculousness of the resolutions themselves, and the still more ridiculous reception they met with in the senate, the vindication of his own dignified and honest course, were displayed in a masterly and with an eloquence which it would be in vain to attempt to describe on paper. We hope, however, the committee will obtain the speech for publication. He concluded by offering the following toast:

By hon. W. P. Mangum—The state of North Carolina—powerful in physical and moral and intellectual resources—the land of our sires and the home of our affections.

7. The soldiers of the revolution—We shall best revere their memory by maintaining in their purity the principles for which they fought, bled and conquered.

8. Our guest, governor Swain—The enlightened and devoted champion of the welfare of North Carolina, his name is identified with the best interest of the state.

The applause with which this toast was drank having subsided, governor Swain rose and, in an eloquent address, replied to the sentiments therein contained. He spoke with much feeling of the character, political and civil, of North Carolina—alluded in some general but astounding remarks to the subject of taxation—exhibited, by a statement of admitted facts, the very great increase of the revenue and expenditures—explained their insidious character from the manner of their collection and disbursement, and wound up by an eloquent and appropriate allusion to the circumstances connected with the day we were celebrating. After which he gave the following toast:

The village of Charlotte, where the genius of education first pitched her camp of learning in North Carolina—where the fire of liberty was first kindled on the altar of American freedom—may she rather become the cemetery of freemen than the residence of slaves.

9. The memory of *Ephraim Brevard* who wrote, and of *Thomas Polk* who proclaimed, the Mecklenburg Declaration of Independence.

10. Our guest, gen. *Joseph Graham*—The living witness of the scene we have met to commemorate, and the bold and intrepid defender of its principles.

In response to this toast, general Graham read a paper, containing a reminiscence of the scene he had witnessed, in which he gave an animated account of many circumstances attending the Mecklenburg declaration, did full justice to the exertions of the Mecklenburg whigs of the revolution, and alluded somewhat in detail to their particular services. General Graham has kindly consented to permit the publication of his address, which we hope in a few weeks to offer as a valuable treat to our readers. He gave the following toast:

The village of Charlotte—May it never be visited again by such dignitaries as lordships, and with such a retinue as visited it on the 26th of September, 1780.

11. *The memory of George Washington.*

12. The state of Tennessee—The daughter of North Carolina—The Mecklenburg Declaration of Independence is a part and portion of her history—a sound and indissoluble union between mother and daughter in the preservation of its principles and its spirit.

13. The fair—"Our arms their protection—their arms our reward."

The following were among the volunteer toasts given on the occasion:

By the president, Wm. Davidson, esq.—Our guest, Jo. Seawell Jones—the able defender of the truth of the Mecklenburg Declaration of independence, and of the revolutionary history of our state.

Mr. Jones responded to this sentiment in some animated remarks, in reference to the declaration, the feelings which inspired it, the necessity of its commemoration, &c. after which he offered the following toast:

The great principles of the Mecklenburg Declaration of Independence—resistance to unconstitutional oppression—the most sacred right of individuals, and the most sacred duty of states.

By gen. T. G. Polk, 2d vice president—The Mecklenburg patriots of '75—woe to their sons who do not rally for *liberty* against *executive power*.

By Wm. Lee Davidson, 3d vice president—Success to the United States' senator from North Carolina, who planted him

self upon the ramparts of the constitution, and boldly defended it against the assaults of a servile majority of the state legislature.

By gen. Paul Barringer, of Cabarrus, 4th vice president—The senate of the United States—a wall of defence for the rights and liberties of the people against the encroachments of executive ambition.

[Letters were then read from gov. *McDuffie*, and Messrs. *Calhoun* and *Preston*, senators from S. Carolina—from Messrs. *Tyler* and *Leigh*, senators from Virginia—*Hugh L. White*, of Tennessee—*William Gaston* and *Bedford Brown*, of North Carolina, acknowledging the compliment paid to them by invitations to attend the celebration, but excusing themselves for various reasons given. The following are some of the letters:]

Fort Hill, S. C. April 1835.

GENTLEMEN: I have been honored by your note of the 17th instant, inviting me, in the name of the citizens of Mecklenburg county, to join them in the celebration, on the 20th May next, of the Declaration of Independence made at this place. On so interesting an occasion, and one so honorable to the state, I would have been happy to accept your invitation, and to join the citizens of Mecklenburg in their celebration, but it will be entirely out of my power. An engagement with which I cannot dispense will prevent me. I rejoice to witness a disposition to recur to former periods and to call up the memory of purer and better times than the present. It is indeed melancholy to reflect how greatly our character has degenerated in the short interval that has elapsed since we declared ourselves a free and independent people—to think with what prompt titude our ancestors resisted the slightest encroachment on their chartered rights in the infancy of our power, and with what spirit they met the greatest power on earth in their defence—and with what tameness and meanness, in the maturity of our power, we submit, when the constitution and liberty of the country are trampled in the dust by those whom we have elevated to authority, and who have no other power but the mercenary and base means which office and patronage bestow. These, it seems, have more terror for us, their degenerate sons, than the army, the fleets, and the mighty resources of the British empire, had for our brave and patriotic ancestors.

The declaration which the citizens of Mecklenburg are about to celebrate will forever place the whigs of the revolution in North Carolina among the most interpid and zealous of that noble band to whom we are indebted for our independence. It was the first open movement for independence, and that made by those who not only had a foreign enemy to meet, but had many and, what would have been to weaker minds, appalling difficulties to contend with at home. Under such trying circumstances, instead of holding back to see what others less exposed would do, (the course that the less bold and zealous would have taken), they resolutely and nobly moved in advance, and, instead of following, set the example to those who had far inferior difficulties to encounter. Such courage and zeal in the cause of freedom, with the names of those who displayed them, ought to be remembered and cherished forever. I avail myself of the occasion to offer the following sentiment:

North Carolina—May her sons, in their resistance to the approach of despotic power at home, emulate the noble example of the Charlotte convention in their resistance to despotism from abroad.

With great respect, I am, &c. J. C. CALHOUN.

Mr. *Leigh's* apology concluded with the following sentiment—

The descendants of the patriots who were the first to denounce allegiance to a *foreign crown*. May they ever emulate the example of their fathers, by promptitude, vigilance and zeal, to avert the dominion of a crown *forged at home*.

Mr. *Tyler's* with this—

The resolutions of the Virginia house of burgesses of 1765, and the declaration of the people of Mecklenburg, North Carolina, in 1775. The first taught that our rights were natural, constitutional, chartered—the last gave the pledge of "life, fortune and sacred honor," for their maintenance.

Messrs. *White* and *Gaston* and *Brown's* replies:

Knoxville, Tenn. April 27th, 1835.

GENTLEMEN: By the mail of yesterday, I received your invitation to unite with the citizens of Mecklenburg, in Charlotte, on the 20th of May next, in celebrating the anniversary of the Declaration of Independence, made in that place on the 20th day of May, 1775. For this distinguished mark of respect, be pleased to accept my most grateful acknowledgments.

The 20th May, 1775, is a day of which every *native* of North Carolina may well be proud. Nothing could give me more pleasure than to be present with you on the spot, where on that day, a band of patriots dared for the *first time* publicly to declare, that our connection with Great Britain was dissolved, that we owed her no allegiance, and that we were and of right ought to be *free;* but my distance from you, and circumstances beyond my control, put it out of my power to accept your invitation. I ask, as a favor, that you, and those for whom you act, when assembled, will unite with me in the subjoined sentiment.

With the highest respect, I am your most obedient servant, HU. L. WHITE.

The sons of North Carolina—May they be the *last* to surrender those principles of freedom and independence which their fearless ancestors were the *first* to declare.

Newbern, April 16th, 1835.

GENTLEMEN: I feel myself highly flattered by your invitation to attend at the celebration of the anniversary of the Mecklenburg Declaration of Independence. As a North Carolinian, I am proud that the honor belongs to our state, of first throwing off the shackles of tyranny, and I am the more proud of it because our right to the distinction has been contested and denied until it could no longer be questioned. It is a matter of serious regret that I cannot be with you in person on this occasion, but I shall be with you in affection and feeling. Suffer me to send you a sentiment, which perhaps you will not deem inappropriate.

American liberty—Here first declared, and here most sacredly cherished—boldly resolved on, long struggled for, and nobly obtained, it must be preserved by the virtue, wisdom, vigilance and union of American freemen.

Respectfully and affectionately yours, WILLIAM GASTON.

Caswell, N. C. May 15th, 1835.

GENTLEMEN: Your note of the 3d ultimo, was duly received, inviting me to unite with the citizens of Mecklenburg in celebrating the approaching anniversary of the Declaration of Independence, made in the town of Charlotte, on the 20th May, 1775. I have to express my regret, that it will not be convenient for me to leave home at the time of the proposed celebration, and must therefore forego the gratification which the occasion would afford.

Among all the events of the revolution, fruitful as that portion of our history is, in deeds of pure and elevated patriotism, none is entitled to be held in higher veneration than the Mecklenburg Declaration of Indepencence. It was the first decisive movement in favor of separation from the mother country, in that series of great events which preceded the revolution, and which have produced results as astonishing to the civilized world as they are gratifying to the friends of human liberty. The glorious fruits of these achievements are every where to be seen in our country. In its liberty, in its free institutions, in its present high and unexampled state of prosperity, and in the commanding attitude which we occupy as a nation among the people of the world. These blessings constitute the highest praise which the founders of our liberties can receive, and form the most lasting memorials of their wisdom and patriotism.

Accept, gentlemen, assurances of my respect, BEDFORD BROWN.

Whereupon, col. *Hillman*, of Burke county, after alluding to the appointment of Mr. *Brown*, as a member of the "Baltimore convention"—but saying they had yet to learn whether "he had declined the honor," gave the following toast.

The hon. Bedford Brown—While we are commemorating the virtues of the illustrious dead, he is paying homage to "the powers that be," by ministering at the altar of living ambition. Verily he shall have his reward.

Other volunteers—selected.

By col. D. M. Barringer, of Cabarrus—*The principles of the day we celebrate:* They teach us that "eternal vigilance is the price of liberty," whether assailed under the forms of law by a "republican" president, or with open violence by a titled monarch.

By hon. W. P. Mangum—*To the memory of the late col. Wm. Polk:* The last surviving field officer of the N. Carolina line; the bravest of the brave; as stern as virtuous, and as virtuous as brave.

By governor Swain—*Fortune hunters and office hunters:* Let the fair sex beware of the one, and the people of the other.

By James A. Wallace—*The doctrine of nullification and consolidation:* Scylla on the one side and Charybdis on the other: both equally dangerous to the liberties of the country.

By R. H. Fullwood—*The whig senate of the United States:* Notwithstanding faction and falsehood may have their reign, it will be but short. The time will be when that body will receive the everlasting gratitude of freemen.

By James A. Johnston—*Henry Clay:* Our political defender against foreign power—the conciliator of domestic dissentions. The highest gift of the people of this union would be but the merited reward of his faithful services.

By col. M. W. Alexander—*The Baltimore convention:* Like the Hartford convention, illegitimate in its birth, the people of the United States will not permit themselves to be dictated to by it.

By G. Maxwell, esq.—*Our distinguished guest, hon. W. P. Mangum:* He obeys no instructions from any sovereign but the *sovereign* people.

By Dr. P. C. Caldwell—*The states:* The Doric pillars that support the Corinthian fabric of our national government. A people's curse on him who would destroy the fair and just proportion of either.

By J. H. Blake, esq.—*Hugh L. White:* Proverbially honest and just, all parties unite in paying him homage. He is the Aristides of the Jackson party in the American senate.

By George F. Davidson, of Iredell—*William Gaston:* Admired for his genius, and revered for his virtues, political prejudice may proscribe his public services, but cannot darken his fame.

[illegible]

[illegible] Declaration of Independence [illegible]

[illegible]

That language was promulgated by the American [illegible]

[illegible]

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REMARKS OF MR. POINDEXTER.

IN CONNECTION WITH THE REPORT OF A COMMITTEE ON THE SUBJECT OF EXECUTIVE PATRONAGE.

In senate, Monday, February [illegible]

Mr. *Calhoun* having moved to [illegible] copies of the report of the committee of which Mr. *Benton* was chairman, in 1826, on the dangerous tendency of executive patronage at that day—

Mr. *Poindexter* rose to make an additional motion, with respect to the printing of the report [illegible] by the senator from South Carolina, and [illegible] the report of the select committee which had just been read. It was his object, he said, to move for the printing of [illegible] copies of both of these reports for the use of the senate, and for distribution among the people of the United States. He had been deeply impressed with the importance of the views presented to the senate and to the country, by the report of the select committee appointed to inquire into the abuses of executive patronage, and the means, if any, by which it could be retrenched. He, for one, begged leave to accord to the committee his hearty thanks for the labor which they had bestowed on the subject referred to them, and for the illustrations which they had given to the various topics touched in the report made by them this morning to the senate. It cannot be disguised, said Mr. P. that the question is now distinctly presented to the American people, of the importance of which they seem to be but little aware, whether power is to be perpetuated in the hands of a dominant party by the influence of patronage and the public money; and whether, by the use of these means, the incumbent of the executive chair shall be enabled to transfer the power which he now wields to some favorite successor: or whether that high office is, as heretofore, under the practical operation of our system, to be freely conferred by the unbought suffrages of the people. It is a question of grave import, in which the office-holders, and their dependents, are ranged on the one side, and the friends of popular rights and free suffrage on the other. He deprecated the consequences which might result from the apparent apathy which seemed to prevail among the great body of the people, while gradual, but fatal encroachments were made by those who wield the destinies of the country, on the foundations of public liberty, and the principles of our free constitution. All republics have fallen under the deleterious influence of an unlimited and misplaced confidence of the people, in the purity and stability of human virtue, which never fails to end in cruel disappointment.

The American people he feared, had been led of late into this great error, from which it may be found difficult to redeem them. They have been slow to believe that an individual, on whose virtue and patriotism they have heretofore placed the most implicit reliance, could be capable of attempting to carry out measures, the inevitable tendency and effects of which must, in the end, [illegible]

[illegible]

[illegible] powers were made [illegible] between the several departments [illegible]. He arrives at the [illegible] powers.

[illegible] executive power [illegible] in the president," and [illegible] Puffendorf or Burlamaqui [illegible] the nature and extent of the powers [illegible] executive [illegible] department [illegible] and vaulting [illegible] these are my powers'" because all executive power is vested in the president, including as well such as are granted, as the entire range of those which are known to be of an executive character in other governments, anterior to the adoption of the federal constitution. [illegible] sweeping claim [illegible] the public property and the public purse, alarmed the fears of his more prudent friends, who believed that it was too broad an assumption of power to be sanctioned by the people; and they forthwith prepared a supplemental message, or paper, which was sent in the next day, explaining or mystifying the words of the original protest. In this paper he told the senate, that he did not deny to them the right to legislate in regard to the custody and security of the public property, and the money in the treasury of the United States; that congress, indeed, possessed this right, and that he accorded it to them, always reserving to himself the veto, which he might at all times use, when they legislated on this subject in opposition to his will. The purport of his language amounted to this: "You may legislate on this subject; you may designate the officer who shall take charge of the public treasure, and appoint the place where it shall be kept, but whenever this officer shall be appointed, he must act under my commission, and be subject to my orders. I shall hold the control over him, and if he refuses to execute the powers, vested in him by law, according to my will, he is responsible to me, and I am solely responsible to the nation for his acts, and, as a matter of course, if he disobeys my commands, his commission will be vacated, and a successor appointed, who will adapt his conduct to my discretion, without regard to his legal obligations."

Thus, while pretending to yield the enormous powers, which he boldly claimed as appertaining directly to his official station, he in effect retains them incidentally by the universal control which he exercises over the official acts of every officer of the government. Of what avail, then, will it be to pass the bill reported by the honorable senator from South Carolina, to regulate the deposites of the public money in the state banks?

It is manifest that whoever is charged with the execution of this law, must, under the new theory of executive power, be subjected to the will of the president, and the public money will, under any arrangement which can be made, remain, as it now is, at the entire disposal of the president, without regard to any restraints which it may be attempted to impose on him

by law. We are plainly told, that it is made the constitutional duty of the president "to see that the laws are faithfully executed," and that, under this power, he might, in person, perform all the duties himself, if he had the physical ability. He might be the marshal, and with his own hand, execute the process of the courts; he might himself be the collector of the revenue; he might, in short, execute all the laws in his own proper person, if it were not physically impracticable that he should do so. Congress, therefore, have furnished him, by various laws, with forty thousand aids, for all of whom he holds himself responsible to the nation in the performance of their respective duties. This (said Mr. P.) I understand to be the broad construction which the president had put upon his powers. Well, he tells us, that if any one of these officers shall fail to perform his duties in the manner he may order them to be performed; if he shall fail or refuse to act in conformity to his directions or dictation, he would consider it to be his duty, for such default, to remove the officer, because he could no longer hold himself responsible for the performance of his duties. This was plain language, and could not be misunderstood. The president had carried it out to its full extent in the process by which he effected the removal of the public money, deposited by law in the bank of the United States. What right had the president to put his hand in the public chest? The constitution gave him no more power over the treasury than had been given to any other officer of the government—to draw his quarter's salary, and to spend it in such manner as he might think fit. The law gave him no such power. A broad line had been drawn by the patriots who formed the constitution, between the executive and the public treasury. To congress is given the control of that important branch of the national interests, thereby separating it from the executive, who is placed at the head of the physical forces of the country.

It must be evident to every reflecting mind that the concentration of these two powers in the same hands, is of the very essence of despotism. How had the president got possession of the public treasury? Not by virtue of any power vested in him by the constitution and the laws, for in these none such is to be found; but he had effected this object by appropriating the power of removal from office to its accomplishment. The president told the secretary of the treasury to remove the deposites from the bank, where the law had placed them for safe keeping and distribution. The secretary replied that he believed the public interests would not be consulted by such a measure; but that it would be, in his opinion, highly injurious to the country at large, and therefore he could not conscientiously comply with the wishes of the president in this respect, in the exercise of a discretion vested exclusively in him by law. Whereupon the president, with seeming courtesy, informs the secretary, "sir, I wish it to be distinctly understood that I do not desire to interfere with your duties; you are at liberty to execute them according to your construction of the law; but if you cannot conscientiously conform to my will, I annul your commission, and shall appoint an officer in your place, more pliant, who will obey my orders on my responsibility, without interposing his own opinion, either in reference to the powers vested in him by law, or the good of the country." It is undeniable that, according to this rule, which seems now to be the settled doctrine of this administration, that no power can be vested in a subordinate officer of the government by law, which is not liable to be controlled in its execution, at the discretion of the chief magistrate. Will any one pretend that this government, thus administered, is one of checks and balances, which limits each department within its own orbit, and confines each to the exercise of its delegated powers and duties? Sir, it is no such thing. The monarch of England, with all his regal sway and pomp, would not dare to lay hold of the public treasury of the kingdom, and loan it out at his pleasure to the corporations of of Liverpool or London, or distribute it among local banks, as his own whim or caprice, or his political ambition, might dictate. Such an outrage would arouse the spirit of English liberty, and the throne itself would tremble under the crowned head who had dared to commit it. But, strange as it may seem, all this has been done in this free country, under the name of democracy! The people have not yet had this question fairly before them for their decision.

We have, indeed, attempted to bring the high prerogative doctrines of the present day in their naked deformity, to the view of the unsuspecting, honest citizens of the republic. But the issue has been evaded, and the people every where have been unblushingly told, that it was a mere question of "bank or no bank." Thus, the unpopularity of all banks, and the reckless denunciations which have been put forth in the public press against the bank of the United States, have been brought in aid of the dominant party; the minds of the people have been lured and diverted from the real question which they had to decide, and, under this delusion, popular elections have turned in favor of those who have inflicted the most fatal wounds on the vital principles of our free constitution. But, said Mr. P. I will not permit myself to doubt, that, whenever the freemen of this country shall be fully informed of the abuses which have been practised under this administration, of the prostitution of the press, and the corrupt purposes to which the patronage of the government has been applied, and of the unmeasured strides of power, which defies the restraints of law, they will come to the rescue in the majesty of their strength, and restore the constitution to its primitive purity and simplicity. Against the formidable array of executive power, now claimed and exercised, neither the constitution nor the law affords an adequate safeguard. This tremendous power of appointment to, and removal from office, applied, as it now is, enables the president to substitute his will, and render it paramount to the enactments of law, or the express provisions of the constitution. A single example will demonstrate this to the satisfaction of every unprejudiced mind. The power is vested in congress to authorise the appointment of inferior officers by the courts of law, or the heads of departments. Could such a law be executed against the will of the president? It is manifest that it could not. For, if the head of any department should refuse to appoint such inferior officers as the president might designate, notwithstanding the law, made in pursuance of the constitution, vested the power exclusively in the department, the means of enforcing the will of the president, in this respect, is rendered plain and simple, by his former practice in like cases. He might, it is true, disclaim all intention of interfering with a head of a department in the execution of a law, but that disclaimer would be followed up by the immediate removal of that officer, if he did not make such appointments as the president might dictate.

Thus the president may, with impunity, according to the construction which he puts upon his own powers, trample under foot the laws made in pursuance of the constitution, and make his mandate superior to both. These are the monstrous doctrines avowed and carried into practical operation by the self-styled *democracy* of the present day. In this manner he might even go further, and effectually control the execution of the judgments and decrees of the courts of the United States. Of what avail is a decree or judgment of the supreme court, if it could not be carried into execution? None at all. It would amount to a mere *brutum fulmen*, of no force or effect whatever. Could not the power of removal be applied to a marshal in any district of the United States, if he persisted in executing a judgment of the court, in opposition to an order from the president prohibiting him from levying on the property of the defendant, in the same manner that it has been applied to a secretary of the treasury for denying his agency in the transfer of the public treasury from its legal place of deposite? There is nothing in the nature of the service to be performed which would make it an exception to the general rule which is applicable to all officers holding commissions at the pleasure of the president. Thus he would become the ultimate arbiter of the most solemn decisions of the courts; he might examine the record, and pronounce an opinion that the judgment or decree of the court is unconstitutional, as he understands it, (and he executes the constitution as he understands it); and on this ground alone, according to his good will and pleasure, order the marshal to disregard the process of execution, who would be bound to obey this imperial mandate or surrender his office to another.

Is it not then evident to the common sense of every man who hears me, that, according to the construction which the president puts on the power of appointment and removal from office, he can as effectually control the judgments and decrees of the supreme court as if he were to put on the judicial robes and take his seat among the judges? When, sir, said Mr. P. I find the patronage of the government, and the enormous powers claimed as incident to it, thus perverted and prostituted to subserve the purposes of political ambition, I will raise my voice to check and restrain it, without regard to the consequences which may result to myself personally from the independent discharge of my public duties. He would not, he said, speak, at this time, of proscription for opinion's sake, which has been carried to the greatest excess under the present administration. He would, indeed, forbear to enlarge on most of the matters which had been brought in a condensed form to the notice of the senate by the report of the select committee. He might, perhaps, seize another opportunity to enter more at large into the consideration of these subjects. For the present he would content himself with the motion* which he indicated, when he rose to address the senate, that thirty thousand extra copies of the report be printed, that it might be distributed throughout the country, for the information of the people.

MR. BENTON'S REMARKS ON THE SAME SUBJECT.

Mr. *Benton* rose to speak to some parts of the report—to express his concurrence in some parts, his dissent to others.

He concurred in the general purport, and in the general object of the report, in showing the great increase which had taken place, in a short time, in the expenditures of the government, and in the number of persons employed, or supported by it. The increase was great, but not so great as had been depicted; and out of proportion to the increase of population and wealth of the country for the same period, but not so inordinately as the report affirmed. It was the object of the report to reduce this too great expenditure, and to diminish the number of that vast multitude of persons now paid, or supported, out of the federal treasury. In all this he concurred with the report; but he regretted, deeply and sincerely regretted, that it had not fallen within the scope of the chairman's view of his subject, to show the source and origin of these great increases; that the blame, if any, should fall upon the true authors, and the genius of reform should know where to apply her correcting hand. The omission of the chairman to show this, had laid him (Mr. B.) under the necessity of endeavoring to supply the defect;

*The motion was subsequently modified, at the suggestion of several senators, so as to print only ten thousand copies; which was carried.

[illegible]

The removal of the Indians was the [illegible] expenditure [illegible] of STATE RIGHTS [illegible] exodus of the Indians from [illegible] sippi—from the land of the [illegible] man—under the guiding and protecting hand of president Jack-

[illegible]

for objects of questionable propriety originated with others,

hose of real expediency, of beneficial object, and clear utional propriety, owed their origin to the administration ident Jackson; and what should never be forgotten, it e exercise of the veto power by president Jackson which d these extravagant expenditures of questionable ob- or which he received unmeasured denunciation! And people now mark it! This same president is now just as much for not stopping as he was blamed for g those wild expenditures.

Mr. B. said, while agreeing to much that was in the re- d in agreeing that there was not only room, but neces- retrenchment, it would be unjust to the people, who o means of detecting the delusive and fallacious state- which go forth with the high sanction of the senate's ap- on, to let this report go forth among them, to startle, disquiet and amaze them with the idea that the ex- of the government had doubled in nine years, from 1825 . Never was a wilder proposition presented to the in- ice of a rational people; not that the quantity of money st in the last of those two years, and that exclusive of blic debt in both instances, was not in reality double that former, but the fallacy and delusion lay in this: that those dditional payments were not for the expenses of the go- ent, not for ordinary, usual, current and progressive ex ures, but for unusual, extraordinary, individual, isolated omalous objects, occurring once, and but once, finished r, when paid one time; some of them impossible, and improbable to occur again; and, therefore, not fit to be p among the current expenses, and progressive extrava- of the government.

report, said Mr. B. assumes the years 1825 and 1833 for mparison and contrast which it exhibits; the expenditure former being eleven millions and a half, that of the latter -two millions and three-quarters, and both exclusive of nts on account of the public debt; and this, as the report , "*during a period of profound peace, when not an event curred calculated to warrant any unusual expenditure.*" said Mr. B. let us see what extraordinary expenditure pon that year 1833. First, there was the Black Hawk n the Upper Mississippi, which, though the fighting was n 1832, yet the payments fell chiefly upon the ensuing Under this head alone there were payments in that year r $900,000;* namely, to the militia and volunteers of Ill $442,000; for their subsistence, $186,000; for the conver- f rangers into a regiment of dragoons, $274,000. Then was paid for duties refunded on merchandise to import erchants, the sum of $701,760; then there was paid to ants under the convention with Denmark, the sum of 00; and this was money not expended, nor even paid, in nse of payment, but merely delivered to these claimants; overnment having received it from Denmark, for their use, years ago, and now delivered it to those to whom a com- n had awarded it. Then there were extraordinary In- treaties that year for the purchase of land, for which 00 were paid; and removal of Indians, and subsisting after they got to their new homes, the sum of $368,000. he greatest extraordinary payment of the whole year was of revolutionary pensions, under the fatal act of 1832. act originated in congress, and carried back its loose and provisions to take effect from the 4th of March, 1831. threw the accumulated payments under that most unfor- e act, upon the year 1833; for all the remainder of the year in which the act was passed, was taken up in establish- e claims of persons to the benefit of the act. Thus the ents in 1832 were but $355,686, while in 1833, they were mes that sum, amounting in fact to $3,507,484. Putting extraordinary payments together, said Mr. B. and you a sum of about seven millions of dollars at once to be de d from the grand aggregate of twenty-two millions and -quarters, and he had no doubt but that a research into the a list of extraordinaries for the same year would produce a n more. Be that as it may, here is a sum of seven mil , not belonging to the current and progressive expenses of overnment, carried forward to the gross amount of such nditure, and made the means of exhibiting a duplication of xpenses of the government in the short space of eight .† Here is the fallacy, here the delusion; and hence the tice of basing upon this duplication a cry of such enor- extravagance as to justify revolution if we cannot get re- tion. For reformation there is room; for revolution there pretext; and the reformation of the ballot box, Mr. B. con- tly hoped, would answer the exigency, and bring down the expenses of the government properly so called—the expenses necessarily incurred in working the machinery of the government—to a sum much below what it would be even after deducting the seven or eight millions of extraordinaries from the gross expenditure of twenty-two millions and three-quarters in 1833.

To confirm his view, and to show that those seven or eight millions of extraordinaries ought not to be added to the ordinary expenditures of the government, much less to be charged to its extravagance, and indicating a progressive expenditure which ought to rouse and alarm the country, Mr. B. would advert to the amount of the expenditures for the whole eight years comprehended in the report, premising that payments on account of the public debt are in all cases excluded. The successive annual expenditures then stand thus:

For 1825	$11,496,459
1826	13,062,316
1827	12,653,095
1828	13,296,041
1829	12,659,400
1830	13,229,533
1831	13,864,067
1832	16,516,388
1833	22,713,755

From this view, Mr. B. said, the increase of expenditure would appear not quite so frightful as this report would represent. For the first year of the term, the increase was about a million and a half; for the next five years there was no increase of any moment, and twice there was a diminution. The years 1832 and 1833 had run up to large amounts, and that by the means which he had shown; so that if the author of the report had taken for the basis of his comparison the seven years of regular expenditure, he would have found an increase of about two millions only, instead of a duplication of eleven millions; a result which, while it would have presented something for reformation, would have presented nothing for revolution, or even for turning out the party in power, and putting in their opponents, who are the real authors of every thing which requires reform.

Having shown the fallacy of the report in its exhibit of the extravagance of the government having shown its enormous error in stating that this great increase had taken place during a period of profound peace, when in fact there was an Indian war in the Upper Mississippi! and when not an event occurred to warrant unusual expenditure, when in fact $7,000,000 of the expenditures were for objects, not only unusual, but never existing before or since! Mr. B. would say a word, and but a word, upon its correlative part, the increase of persons paid by the government or fed by its bounty. In 1825, the whole number was 55,777, in 1833, 100,073. This, said Mr. B. is almost double; but how did it happen? Why from carrying the pensioners up from about 17,000, to about 40,000! adding multitudes for internal improvement, and the custom houses in consequence of the two tariffs of 1824 and 1828; requiring many persons to superintend the removal of Indians; many to survey and sell the newly acquired lands; and a whole regiment of dragoons for the defence of the western frontier. In these items; and others, the source of the increased numbers will be found, some few of them necessary and indispensable as that of the dragoons; some necessary and temporary, as those for removal of Indians, and internal improvement; some lawful, though the expediency of the law questionable, as those for carrying into effect the complex provisions of the new tariff laws; some amazing, and almost incredible, as the increase of pensioners, the bare statement of whose numbers announces a fraud of stupendous magnitude, and implies a demoralization of public morals of frightful enormity.

The dismissions from office next engaged Mr. B's attention. The affected moderation of language under which this topic was brought forward in the report, and the violence with which it concluded, were particularly pointed out. Remarks of a party character were disclaimed, and the disclaimer was instantly followed by a series of the most violent and offensive remarks of a party character. The present administration was charged with having reduced to a system the practice of removing from office for opinion's sake. The assertion, though veiled, and slightly made to wear the form of hypothesis, was nevertheless clear and explicit in the report, that the honest and capable were dismissed to make room for the base and corrupt; that offices were the spoils of victory, the rewards of partisan service, and the means of substituting manworship for patriotism, encouraging vice and discouraging virtue, preparing for the subversion of liberty and the establishment of despotism, and converting the entire body of officeholders into corrupt and supple instruments of power!! Such, he said, was the language of a report which set out with a formal disclaimer of party spirit and partisan remarks. In defending the administration from such flagrant charges, Mr. B. would first discriminate between terms which had been much confounded and abused, and then show that the removals made by president Jackson, like those made by president Jefferson, were the legitimate results of the previous system of appointments, and were necessary not only to the safety and success of a democratic administration, but due as an act of justice to the great democratic party of the union. Terms, he said, were confounded. When a man had been five, ten, twenty, forty years in office, and failed to be reappointed at the end of his second, third, fourth or fifth term of four years, it was called a dismis-

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recise sums are here substituted in the published speech e general statements made in the speech when delivered. B. had heard the report read but once in the committee, had not obtained, when he spoke, the precise detail of above enumerated. He obtained them afterwards, and ced, read and commented upon them in the senate; and fore feels justifiable in substituting precise sums for the ral statements which he could only make at this part of the en speech.

e well might the five millions in the French spoliation bill, h has passed the senate, and now lies in the house of re- entatives, be set down, if it passes that body, also, among overnment expenditures for the year 1835, and carried for- l to swell the aggregate of the year, to furnish contrasts and e discontent against an extravagant administration.

sion, and the cry of persecution was set up. This, Mr. B. said, might be correct phraseology with those who thought offices ought to be for life, and eventually hereditary, but it was a phraseology repudiated in the democratic school, where the doctrine of right to office was repudiated, and the right of rotation was inculcated. With respect to the fact of dismissions, they resulted in general from appointments. The elder Mr. Adams appointed none but federalists; and Mr. Jefferson had to turn a portion of them out in order to get in a portion of the republicans; and Mr. Jefferson had told him, (Mr. B.) that he had never carried changes far enough; that he had not done justice to his own party. So of president Jackson; the younger Mr. Adams followed the plan of his father, and president Jackson had to follow the course of Mr. Jefferson. Mr. B. said that his recommendation for any office in his own state was worth nothing during the whole administration of Mr. Adams, and the latter part of the administration of Mr. Monroe, and the state to this day contained some persons in office, his decided opponents, who were appointed under the two former administrations. Doubtless, he said, president Jackson had made some unfortunate appointments; he himself had made some unfortunate recommendations, though he had made but few; but it was incontestably true that many of those who had been dismissed, or not reappointed, were themselves proscribers of those who were in their power, dismissing not only clerks and under officers for political opinions, but mechanics, workmen and laborers! Yes, the day laborer, when he would not prostitute his vote to the national republicans, and the bank, has been dismissed from his labor!

The unregulated state of the deposite banks was another source of executive patronage which the report had strongly and emphatically dwelt upon. Of all the matter contained in the report, nothing, said Mr. B. except one thing, which he would mention in its proper place, had astonished him so much as this! Not that there was not increase of executive patronage from this source, but that the president should be reproached with it in this senate, by the author of this report, and the majority of the committee from which it came. What is the fact, exclaimed Mr. B. Did not this senate twice refuse, at their last session, to pass any law to regulate the deposite banks? Did not the majority of this committee twice refuse to pass a bill for that purpose? Did not the author of the report twice refuse to attempt to regulate these banks? Are the votes of these refusals, recorded in our journals, preserved in our memories, and known to the whole body of the American people? And after that, is the senate the place from which a reproach can come, and fearful, trembling, awful apprehensions for the safety of the republic, can be put forth, on account of the unregulated condition of these deposite banks, without exciting, in the first place, a feeling of the utmost possible astonishment; and, in the next place, a feeling very different from astonishment, and of which the senate should never aspire to make itself the object? Mr. B. would dismiss this topic with simply reciting the reminiscences, as the novel writers called it, which belonged to this occasion, and leave it to those who refused—twice refused—only nine months ago, to comply with the executive recommendation to regulate these banks, and now reproach him because they are not regulated, and shiver with terror at such a state of things; and would leave it to them, and a pretty little task they might find it! to reconcile their conduct then with their conduct now.

The transfer drafts, said Mr. B. have claimed the attention of the report. They are proposed to be prohibited in future, except for the *bona fide* purpose of transferring public moneys from one place to another, for the benefit of the public service. To this Mr. B. had no objection. He was not in favor of using the power or the money of the federal government to sustain banks in future. Time was when the government was under a virtual duress to do it. Fifteen or twenty years ago, for example, when the government was itself dependent on the paper system, and was obliged to support that system to preserve its own revenues. Time was also when it was not only right, but laudable in the government, to sustain the local banks; and that was at the commencement of the panic operations of the last year, when the explosion of the state banks was the criminal policy of the bank of the United States; and the success of that policy was frustrated by the interposition of the secretary of the treasury, through the instrumentality of transfer drafts. But these times have gone by. They have passed away, and never can return until the federal government shall commit the consummate folly of creating another mammoth bank, or entangling itself in the fate of local banks by continuing to treat their notes as money, and receiving the federal revenue in them. It is hoped that this folly will not be perpetrated; that no new bank is to be created to overthrow, and to crush at its pleasure, all others; that the paper of local banks is not to be made the currency of the federal government; but that the government will, and that with all convenient speed, return to the currency of the constitution, and to the first act of the first congress that ever sat under the constitution, and made a provision on the subject of money, and which declared that *gold and silver coin* ONLY should be received in payments to the U. States. For the future, then, Mr. B. was opposed to lending the aid of the federal government to the support of banks. If they cannot stand, let them fall. Let them blow up if they will, sky high, if they please; high enough never to fall back to the earth! But, while concurring with the report in the future restriction upon the use of transfer drafts, he took the opportunity, most emphatically, to *dissent* from the censure which the report, by implication, if not in words, threw upon Mr. Taney for the use he made of these drafts in the fall of 1833. He defended that use; he justified it; he extolled it; he celebrated it above all praise. What was that use? It was to prevent the success of crime, and to compel the observance of justice! to frustrate the conspiracy of the bank of the U. States against the local banks, and to compel her to treat her own notes, and those of her branches, as money! The case was this: Upon the removal of the deposites, many of the branches began to refuse to receive from the deposite banks the notes of the other branches, or of the mother bank, which had been received in payment of duties, and which the deposite banks offered to exchange for their own. Refusing this exchange, and demanding specie from the deposite banks for all their balances, the design of the federal bank was evident; it was to cripple and crush the state banks, destroy their currency, and upon their ruins erect the edifice of her own necessity and supremacy and recharter. Mr. Taney interposed to prevent this crime, this ruin, and this result. He gave drafts to the deposite banks to be used upon condition, and on condition only, that the bank and its branches should continue to refuse to receive each other's notes, received on public account, in exchange for the notes of deposite banks, and demand specie from them; and the exhibition of these drafts in Baltimore and in New York had the effect that was intended; it compelled the bank of the United States and its branches to honor each other's paper, and to desist from that part of their atrocious and diabolical plan to break the deposite banks, and to derange the currency of the country.

Mr. B. said, these were the facts which justified Mr. Taney for the use he had made of the transfer drafts; not only justified him, but entitled him to the highest praise. He contented himself now with stating these facts; on another occasion he would prove them. He had certain remarks to make on the report of the finance committee of the senate, (Mr. *Tyler*'s report on the bank), in which this proof would find an appropriate place; and he was certain that the senate would not deny him an opportunity of making his intended remarks. Looking at Mr. *Tyler*, he repeated, that the senate would not deny him that opportunity; and Mr. *Tyler* was understood to say, that certainly he would not be denied.

Mr. B. next came to the proposition in the report to amend the constitution for eight years, to enable congress to make distribution among the states, territories and District of Columbia, of the annual surplus of public money. The surplus is carefully calculated at $9,000,000 per annum for eight years; and the rule of distribution assumed, goes to divide that sum into as many shares as there are senators and representatives in congress; each state to take shares according to her representation; which the report shows would give for each share precisely $30,405, and then leaves it to the state itself, by a little cyphering, in multiplying the aforesaid sum of $30,405 by the whole number of senators and representatives which it may have in congress, to calculate the annual amount of the stipend it would receive.* This process the report extends through a period of eight years; so that the whole sum to be divided to the states, territories and District of Columbia, will amount to seventy two millions of dollars.

Of all the propositions which he ever witnessed, brought forward to astonish the senses, to confound recollection, and to make him doubt the reality of a past or present scene, this proposition said Mr. B. eclipses and distances the whole! What! the senate of the United States—not only the same senate, but the same members, sitting in the same chair, looking in each other's faces, remembering what each had said only a few short months ago, now to be called upon to make an alteration in the constitution of the United States, for the purpose of dividing seventy two millions of surplus money in the treasury; when that same treasury was proclaimed, affirmed, vaticinated and proved upon calculations, for the whole period of the last session, to be sinking into bankruptcy! that it would be destitute of revenue by the end of the year, and could never be replenished until the deposites were restored! the bank recharted! and the usurper and despot driven from the high place which he dishonored and abused! This was the cry then; the cry which resounded through this chamber for six long months; and was wafted upon every breeze to every quarter of the republic, to alarm, agitate, disquiet and enrage the people. The author of this report, and the whole party with which he marched under the *oriflamme* of the bank of the United States, filled the union with this cry of a bankrupt

*Mr. B. in a subsequent speech, told an amusing anecdote to the senate, of the blunder into which a member had fallen with respect to the distribution of these $30,405. The first time that Mr. B. saw the member, after the report was read, he was violently for it, and wondered that any senator or representative should go against it. The next time he saw him he was indifferent and even contemptuous to the report. Mr. B. desired to know the reason of this sudden change, and it was accounted for thus: When the member first heard the report read, he understood these $30,405 annually to be intended for the members themselves; but he now saw that every member would have to divide with his constituents, and he had 40,000 in his district; so that it reduced the thing to nothing; he would get but four shillings and six pence, Virginia money; and then he swore he would not change the constitution of the United States for four shillings and six pence, Virginia money.

usury; and predicted the certain and speedy downfall of the ninistration, from the want of money to carry on the operas of the government.

Mr. *Calhoun* here rose and wished to know of Mr. *Benton* ether he meant to include him in the number of those who predicted a deficiency in the revenue.]

Ir. B. said he would answer the gentleman by telling him an cdote. It was the story of a drummer taken prisoner in the countries by the videttes of marshal Saxe, under circumces which deprived him of the protection of the laws of war. out to be shot, the poor drummer plead in his defence that he a non-combatant, he did not fight and kill people, he did hing, he said, but beat his drum in the rear of the line. But was answered so much the worse; that he made other people t, and kill one another, by driving them on with that drum of in the rear of the line, and so he should suffer for it. Mr. B. ed that the story would be understood, and that it would be ived by the gentleman as an answer to his question, as her in law, politics or war, was there any difference been what a man did by himself, and did by another. Be that t may, said Mr. B. the strangeness of the scene in which we now engaged remains the same. Last year it was a bank treasury, and a beggared government; now it is a treasury ed to bursting with surplus millions, and a government apling down liberty, contaminating morals, bribing and lding vast masses of people from the unemployable funds of utless treasures. Such are the scenes which the two ses present, and it is in vain to deny it, for the fatal speeches hat fatal session have gone forth to all the borders of the ublic. They were printed here by the myriad: franked by nbers by the ton weight; freighted to all parts by a decried overwhelmed post office; and paid for! paid for! by whom? nks for one thing at least! The report of the finance comee on the bank, (Mr. *Tyler's* report), effected the exhumaof one mass—of hidden and buried putridity; it was the ting account of the bank of the United States for that sesof congress, which will long live in the history of our ntry under the odious appellation of the *panic session.* t printing account has been dug up; is the black vomit of bank! and he knew the medicine which could bring forty vomits from the foul stomach of the old red harlot. It the medicine of a committee of investigation, constituted n parliamentary principles; a committee composed in its ority, of those who charged misconduct, and evinced a dis tion to probe every charge to the bottom; such a committee he senate had appointed, at the same session, not for the k! but for the post office.

es, exclaimed Mr. B. not only the treasury was to be bank, but the currency was to be ruined. There was to be no ey. The trash in the treasury, what little there was, was e nothing but depreciated paper, the vile issues of insolvent banks. Silver, and United States bank notes, and even l bills of exchange, were all to go off, all to take leave, make their mournful exit together; and gold! that was a unworthy of countenance; a gull to bamboozle the simple, to insult the intelligent, until the fall elections were over. , ruin, ruin to the currency, was the lugubrions cry of the and the sorrowful burthen of the speech for six long ths. Now, on the contrary, it seems to be admitted that e is to be money, real good money in the treasury, such as fercest haters of the pet banks would wish to have; and not a little, since 72 millions of surpluses are proposed to rawn from that same empty treasury in the brief space ight years. Not a word about ruined currency now.—a word about the currency itself. The very word seems e dropped from the vocabulary of gentlemen. All lips ed tight, all tongues hushed still, all allusion avoided, to once dear phrase. The silver currency doubled in a year; millions of gold coined in half a year; exchanges reduced e lowest and most uniform rates; the whole expenses of gress paid in gold; working people receiving gold and silver heir ordinary wages. Such are the results which have ounded the profits of woe, silenced the tongue of lamenta- expelled the word CURRENCY from our debates; and ght the people to question, if it cannot bring themselves to t, the future infallibity of those undaunted alarmists who go forward with new and confident predictions, notwithding they have been so recently and so conspicuously ded in their vaticinations of a ruined currency, a bankrupt ury and a beggared government.

it here we are, said Mr. B. actually engaged in a serious osition to alter the consitution of the United States for the d of eight years, in order to get rid of surplus revenue; and st dazzling, seductive and fascinating scheme is presented; ss than nine millions a year for eight consecutive years. ok like wild fire, Mr. B. said, and he had seen a member—hat might seem too particular—he had seen a gentleman looked upon it as establishing a new era in the affairs of America, establishing a new *test* for the formation of par- bringing a new question into all our elections, state and al, and operating the political salvation, and elevation of ho supported it, and the immediate, utter and irretrievable ical damnation of all who opposed it. But Mr. B. disd from the novelty of the scheme. It was an old acquaintof his, only new vamped and new furnished, for the preoccasion. It is the same proposition, only to be accomed in a different way, which was brought forward some ago by a senator from New Jersey, (Mr. *Dickerson*), and which then received unmeasured condemnation, not merely for unconstitutionality, but for all its effects and consequences; the degradation of mendicant states, receiving their annual allowance from the bounty of the federal government; the debauchment of the public morals, when every citizen was to look to the federal treasury for money, and every candidate for office was to outbid his competitor in offering it; the consolidations of the states, thus resulting from a central supply of revenue; the folly of collecting with one hand, to pay back with the other, and both hands to be greased at the expense of the citizen who pays one man to collect the money for him, and another to bring it back to him, *minus*, the interest and the cost of a double operation in fetching and carrying; and the eventual and inevitable progress of the scheme to the plunder of the weaker half of the union by the stronger; when the stronger half would undoubtedly throw the whole burthen of raising the money upon the weaker half, and then take the main portion to themselves. Such were the main objections uttered against this plan seven years ago, when a gallant son of S. Carolina, (general Hayne), stood by his, Mr. B's side—no, stood before him, and led him in the fight against that fatal and delusive scheme, now brought forward under a more seductive, dangerous, alarming, inexcusable, unjustifiable and demoralizing form.

Yes, said Mr. B. it is not only the revival of the same plan for dividing surplus revenue, which received its condemnation on this floor seven or eight years ago, but it is the modification, and that in a form infinitely worse for the new states, of the famous land bill which lies upon our table. It takes up the object of that bill, and runs away with it, giving nine millions where that gave three, and leaves the author of that bill out of sight behind; and can the gentleman from S. Carolina, (Mr. *Calhoun*), be so short sighted as not to see that somebody will play him the same prank, and come forward with propositions to raise and divide twenty, thirty, forty millions, and thus outleap, out jump and out run him in the race of popularity, just as far as he himself has now out jumped, out leaped and out run the author of the land distribution bill?

Yes, said Mr. B. this scheme for divided surplus revenue is an old acquaintance on this floor; but never did it come upon this floor at a time so inauspicious—under a form so questionable—and upon assumptions so unfounded in fact, so delusive in argument. He would speak of the inauspiciousness of the time hereafter; at present, he would take positions in direct contradiction to all the arguments of fact and reason upon which this monstrous scheme of distribution is erected and defended. Condensed into their essence, these arguments are:

1. That there will be a surplus of nine millions annually for eight years.
2. That there is no way to reduce the revenue.
3. That there is no object of general utility to which these surpluses can be applied.
4. That distribution is the only way to carry them off without poisoning and corrupting the whole body politic.

Mr. B. disputed the whole of those propositions, and would undertake to show each to be unfounded and erroneous.

1. The report says that the surplus will probably equal, on the average, for the next eight years, the sum of $9,000,000 beyond the just wants of the government;* and in a subsequent part, it says, supposing the surplus to be distributed should average nine millions of dollars, annually, as estimated, it would give to each share 30,405 dollars, which, multiplied by the senators and representatives of any state, would show the sum to which it would be entitled.† The amendment which has been reported to carry this distribution into effect, is to take effect for the year 1835—the present year—and to continue till the first day of January, 1843; of course it is inclusive of 1842, and makes a period of eight years for the distribution to go on. The amendment contains a blank, which is to be filled up with the sum which is to be left in the treasury every year, to meet contingent and unexpected demands; and the report shows that this blank is to be filled with the sum of two millions of dollars. Here then is the totality of these surpluses, eleven millions a year for eight consecutive years, out of which nine millions are to be taken annually for distribution. Now nine times eight are seventy two, so that here is a report setting forth the enormous sum of $72,000,000 of mere surplus, after satisfying all the just wants of the government, and leaving two millions in the treasury, to be held up for distribution, and to excite the people to clamor for their shares of such a great and dazzling prize. At the same time, Mr. B. said, there would be no such surplus. It was a delusive bait held out to whet the appetite of the people for the spoils of their country, and could never be realized even if the amendment for authorising the distribution should now pass. The seventy-two millions could never be found; they would exist no where but in this report, in the author's imagination, and in the deluded hopes of an excited community. The seventy two millions could never be found; they would turn out to be the "fellows in Kendal green and buckram suits," which figured so largely in the imagination of sir John Falstaff—the two-and fifty men in buckram which the valiant old knight received upon his point thus! (extending a pencil in the attitude of defence). The calculations of the author of the report were wild, delusive, astonishing, incredible. He (Mr. B.) could not limit himself to the epithet wild, for it was a clear case of hallucination.

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Mr. B. then took up the treasury report of Mr. Secretary Woodbury, communicated at the commencement of the present session of congress, and containing the estimates required by law of the expected income and expenditure for the present year, and also for the year 1836. At pages four and five are the estimates for the present year: the income estimated at $20,600,000, the expenditures at $20,...,... being a difference of only some three hundred thousand dollars between the income and the outlay; and such is the chance for nine millions taken out, and two left in, the first year of the distribution. At pages 10, 14, 15, the revenue for 1836 is computed, and, after going over all the heads of expense on which diminutions will probably be made, he computes the income and outlay of the year at about equal, or probably a little surplus to the amount of one million. These are the estimates, said Mr. B. formed upon *data*, and coming from an officer making reports upon his responsibility, and for the legislative guidance of congress; and to which we are bound to give credence until they are shown to be incorrect. Here then are the two first years of the eight disposed of, and nothing found in them to divide. The two last years of the term could be despatched even more quickly, said Mr. B. for every body that understands the compromise act of March, 1833, must know that, in the two last years of the operation of that act, there would be an actual *deficit* in the treasury. Look at the terms of the act! It proceeds by slow and insensible degrees, making slight deductions once in two years, until the years 1841 and 1842, when it ceases crawling, and commences jumping, and leaps down, at two jumps, to twenty per centum on the value of the articles which pay duty, which articles are less than one half of our importation. Twenty per cent. upon the amount of goods which will then pay duty, will produce but little, say twelve or thirteen millions, upon the basis of sixty or seventy millions of dutiable articles imported then, which only amount to forty seven millions now. Then there will be no surplus at all for one half the period of eight years, the first two, and the last two. In the middle period of four years there will probably be a surplus of two or three millions; but Mr. B. took issue upon all the allegations with respect to it; as that there was no way to reduce the revenue without disturbing the compromise act of March, 1833; that there was no object of general utility to which it could be applied; and that distribution was the only way to get rid of it.

Equally delusive and profoundly erroneous was the gentleman's idea of the surplus which could be taken out of the appropriations. True that operation could be performed once, and but once. The run of our treasury payments show that about one quarter of the year's expenditures are not paid within the year, but the first quarter of the next year, and thus could be paid out of the revenue received in the first quarter of the next year, even if the revenue of the last quarter of the preceding year was thrown away. But this was a thing which could only be done once. You might rely upon the first quarter, but you could not upon a second, third and fourth. There would not be a dollar in the treasury at the end of four years if you deducted a quarter's amount four times successfully. It was a case, if a homely adage might be allowed, which would well apply—you could not eat the cake and have it too. Mr. B. submitted it then to the senate, that, on the first point of objection to the report, his issue was maintained. There was no such surplus of nine millions a year for eight years, as had been assumed, nor any thing near it; and this assumption being the corner stone of the whole edifice of the scheme of distribution, it was sufficient to show the fallacy of that data to blow the whole scheme into the empty air.

Mr. B. admonished the senate to beware of ridicule. To pass a solemn vote for amending the constitution, for the purpose of enabling congress to make distribution of surpluses of revenue, and then find no surplus to distribute, might lessen the dignity, and diminish the weight of so grave a body. It might expose it to ridicule, and that was a hard thing for public bodies, and public men, to stand. The senate had stood much in its time; much in the latter part of Mr. Monroe's administration, when the Washington Republican habitually denounced it as a faction, and displayed many brilliant essays, written by no mean hand, to prove that the epithet was well applied, though applied to a majority. It had stood much also during the four years of the second Mr. Adams' administration; as the surviving pages of the defunct National Journal could still attest, but in all that time it stood clear of ridicule, it did nothing upon which satire wit could lay its lash. Let it beware, now! lest the passage of this amendment may expose it to untried peril; the peril of song and caricature. And woe to the senate, farewell to its dignity, if it once gets into the windows of the print shops, and becomes the burthen of the ballads which the milk maids sing to their cows.

2. Mr. B. took up his second head of objection. The report affirmed that there was no way to reduce the revenue before the end of the year 1842, without violating the terms of the compromise act of March, 1833. Mr. B. said he had opposed that act when it was on its passage, and had then stated his objections to it. It was certainly an extraordinary act. A sort of new constitution for nine years, as he had heard it felicitously called. It was made in an unusual manner, not precisely by three men on an island on the coast of Italy, but by two in some room of a boarding house in this city, and then pushed through congress under a press of sail, and a duresse of feeling, under the factitious cry of dissolution of the union, raised by those who had been declaring, on one hand, that the tariff could not be reduced without dissolving the union, and on the other, that it could not be kept up, without dissolving the same union. The value of all such cries, Mr. B. said, would be appreciated in future, when it was seen with how much facility certain persons who had stood under the opposite poles of the earth, as it were, on the subject of the tariff, had come together to compromise their opinions, and to lay the tariff on the shelf for nine years! a period which covered two presidential elections! That act was no favorite of his, but he would let it alone; and thus leaving it to work out its design for nine years, he would say there were ways to reduce the revenue, very sensibly, without affecting the terms or the spirit of that act. And here he would speak upon *data*. He had the authority of the secretary of the treasury (Mr. Woodbury) to declare that he believed he could reduce the revenue in this way and upon imports to the amount of five hundred thousand dollars; and he, Mr. B. should submit a resolution* calling upon the secretary to furnish the detail of this reduction to the senate at the commencement of their next stated session, that congress might act upon it. Further, Mr. B. would say that it appeared to him that the whole list of articles in the fifth section of the act, amounting to thirty or forty in number, and which by that section are to be free of duty in 1842, and which in his opinion might be made free this day, and that not only without injury to the manufacturers, but with such manifest advantage to them, that as an equivalent for it, and for the sake of obtaining it, they ought to come forward of themselves, and make a voluntary concession of reductions on some other points, especially on some classes of woollen goods.

Having given Mr. Woodbury's authority for a reduction of $500,000 on imports, Mr. B. would show another source from which a much larger reduction could be made, and that without affecting this famous act of March, 1833, in another, and a different quarter; it was in the western quarter; the new states, the PUBLIC LANDS! The act of 1833 did not embrace this source of revenue, and congress was free to act upon it, and to give the people of the new states the same relief on the purchase of the article on which they chiefly paid revenue as it had done to the old states in the reduction of the tariff. Mr. B. did not go into the worn out and exploded objections to the reduction of the price of the lands which the report had gathered up from their old sleeping places, and presented again to the senate. Speculators, monopolies, the fall in the price of real estate all over the union; these were exploded fallacies which he was sorry to see paraded here again, and which he should not detain the senate to answer. Suffice it to say, that there is no application made now, made heretofore, or intended to be made, so far as he knew, to reduce the price of NEW LAND! One dollar and a quarter was low enough for the first choice of new lands; but it was not low enough for the second, third, fourth and fifth choices! It was not low enough for the refuse lands which had been five, ten, twenty, forty years in market; and which could find no purchaser at $1 25, for the solid reason that they were worth but the half, the quarter, the tenth part of that sum. It was for such lands that reduction of price was sought, and had been sought for many years, and would continue to be sought until it was obtained; for it was impossible to believe that congress would persevere in the flagrant injustice of forever refusing to reduce the price of refuse and unsaleable lands to their actual value. The policy of president Jackson, communicated in his messages, Mr. B. said, was the policy of wisdom and justice. He was for disposing of the lands more for the purpose of promoting settlements, and creating freeholders, than for the purpose of exacting revenue from the meritorious class of citizens who cultivate the soil. He would sell the lands at prices which would pay expenses—the expense of acquiring them from the Indians, and surveying and selling them—and this system of moderate prices with donations, or nominal sales to actual settlers, would do justice to the new states, and effect a sensible reduction in the revenue; enough to prevent the necessity of amending the constitution to get rid of nine millions surpluses! But whether the price of lands was reduced or not, Mr. B. said, the revenue from that source would soon be diminished. The revenue had been exhorbitant from the sale of lands for three or four years past. And why? precisely because immense bodies of new lands, and much of it in the states adapted to the production of the great staples which now bear so high a price, have, within that period, come into market; but those fresh lands must soon be exhausted; the old and refuse ones will remain for sale; and the revenue from that source will sink down to its former usual amount, instead of remaining at three millions a year for nine years, as the report assumes.

3. When he had thus shown that a diminution of revenue could be effected both on imports, and on refuse and unsaleable lands, Mr. B. took up the third issue which he had joined with the report; namely, the possibility of finding an object of general utility on which the surpluses could be expended. The report affirmed there was no such object; he, on the contrary, affirmed that there were such, not one, but several, not only useful, but necessary, not merely necessary, but exigent, not exigent only, but in the highest possible degree indispensable and essential. He alluded to the whole class of measures connected with the general and permanent defence of the union! In peace, prepare for war! is the admonition of wisdom in all ages and in all nations, and sorely and grievously has our America heretofore paid for the neglect of that admonition. She has

*The resolution has been submitted.

or it in blood, in money and in shame. Are we prepared And is there any reason why we should *not* prepare now? at your maritime coast, from Passamaquoddy Bay to Flo- oint; your gulf coast, from Florida Point to the Sabine: lake frontier, in its whole extent. What is the picture? st destitute of forts, and, it might be said, quite destitute nament. Look at your armories and arsenals—too few, oo empty—and the west almost destitute! Look at your s; many of them mustering with corn stalks; the states ent in arms, especially in field artillery, and in swords and s for their cavalry! Look at our navy; slowly increasing an annual appropriation of half a million a year, instead whole million, at which it was fixed soon after the late war, rom which it was reduced some years ago, when money ow in the treasury! Look at your dock yards and navy ; thinly dotted along the maritime coast, and hardly seen on the gulf coast, where the whole south, and the great so imperiously demand naval protection! Such is the e; such the state of our country; such its state at *this* when even the most unobservant should see something to us think of defence! Such is the state of our defences with which, oh! strange and wonderful contradiction! the istration is now taunted, reproached, reviled, flouted and ed by those who go for distribution, and turn their backs fence! and who complain of the president for leaving us s condition, when five years ago, in the year 1829, he re- mended the annual sum of $250,000 for arming the fortifi- ns, (which congress refused to give), and who now are for g the money out of the treasury, to be divided among the e, instead of turning it all to the great object of the gene- nd permanent defence of the union, for which they were ticitous, so clamorous, so feelingly alive and patriotically tive, even one short month ago.

es not the present state of the country, (said Mr. B.) call fence, and is not this the propitious time for putting it in ce, and will not that object absorb every dollar of real sur- that can be found in the treasury for these eight years of y, during which we are to be afflicted with seventy two ns of surplus! Let us see. Let us take one single branch e general system of defence, and see how it stands, and it would cost to put it in the condition which the safety he honor of the country demanded. He spoke of the for- tions, and selected that branch because he had data to go ; data to which the senator from South Carolina, the au- of this report, could not object.

e design, said Mr. B. of fortifying the coasts of the United s, is as old as the union itself. Our documents are full of ative recommendations, departmental reports, and reports mmittees, upon this subject, all urging this great object the attention of congress. From 1789, through every suc- ing administration, the subject was presented to congress; it was only after the late war, and when the evils of a de- eless coast were fresh before the eyes of the people, that the ect was presented in the most impressive persevering and matic form. An engineer of the first rank (gen. Bernard) taken into our service from the school of the great Napo- . A resolution of the house of representatives called on war department for a plan of defence, and a designation of , adequate to the protection of the country; and upon this examinations were made, estimates framed, and forts pro- d for the whole maritime coast, from Savannah to Boston. result was the presentation, in 1821, of a plan for ninety upon that part of the coast; namely, 24 of the first class; f the second; and 43 of the third. Under the administra- of Mr. Monroe, and the urgent recommendations of the head of the war department, (Mr. *Calhoun*), the construc- of these forts was commenced, and pushed with spirit and ity; but owing to circumstances, not necessary now to be lled, the object declined in public favor, lost a part of its larity, perhaps justly, and has since proceeded so slowly at the end of twenty years from the late war, no more than een of these forts have been constructed; namely, 8 of the class, 3 of the second, and 2 of the third; and of these thir- constructed, none are armed; almost all of them are with- uns or carriages, and more ready for the occupation of an ny than for the defence of ourselves. This is the state of fications on the maritime coast, exclusive of the New Eng- coast to the north of Boston, exclusive of Cape Cod, south oston, and exclusive of the Atlantic coast of Florida. The frontier is untouched. The gulf frontier, almost two thou- l miles in length, barely is dotted with a few forts in the hborhood of Pensacola, New Orleans and Mobile; all the of the coast may be set down as naked and defenceless. was our condition. Now Mr. B. did not venture to give pinion that the whole plan of fortifications developed in reports of 1821, should be carried into effect; but he would and that most confidently, that much of it ought to be; and ould be the business of congress to decide on each fort in ing a specific appropriation for it. He would also say, that y forts would be found to be necessary which were not em- ed in that plan; for it did not touch the lake coast, and the coast, nor the New England coast north of Boston, nor any t of the land frontier. Without going into the question at of how many were necessary, or where they should be ed, it was sufficient to show that there were enough want- beyond dispute, to constitute an object of utility, worthy of national expenditure, and sufficient to absorb, not nine mil- s of annual surplus, to be sure, but about as many millions of surplus as would ever be found, and the bank stock into the bargain. The thirteen forts constructed had cost 12,113,000 dollars; near one million of dollars each But this was for construction only; the armament was still to follow; and for this object $2,000,000 were estimated in 1821 for the ninety forts then recommended, and of that two millions it may be assumed that but little has been granted by congress. So much for fortifications; in itself a single branch of defence, and sufficient to absorb many millions.

But there were many other branches of defence which Mr. *Benton* said, he would barely enumerate. There was the navy; including its gradual increase; its dock yards; its navy yards; then the armories and arsenals, which were so much wanted in the south and west, and especially in the south, for a reason, (besides those which apply to foreign enemies), which need not be named; then the supply of arms to the states, especially field artillery, swords and pistols, for which an annual, but inadequate appropriation had been made for so long a time, that he believed the states had almost forgot the subject. Here are objects enough, Mr. President, exclaimed Mr. B. to absorb every dollar of our surplus, and the bank stock besides. The surpluses, he was certain, would be wholly insufficient, and the bank stock, by a solemn resolution of the two houses of congress, should be devoted to the object. As a fund was set apart, and held sacred and inviolable, for the payment of the public debt, so should a fund be now created for national defence, and this bank stock should be the first and most sacred item put into it. It is the only way to save that stock from becoming the prey of incessant contrivances to draw money from the treasury. Mr. B. said that he intended to submit the resolutions, requesting the president to cause to be communicated to the next congress full information upon all the points that he had touched, the probable revenue and expenditure for the next eight years; the plan and expense of fortifying the coast; the navy, and every other point connected with the general and permanent defence of the union, with a view to let congress take it up, upon system, and with a design to complete it without further delay.* And he demanded, why hurry on this amendment before that information can come in?

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*The resolutions, embracing twelve heads of inquiry, have been submitted. They are the following:

Resolved, That the president be requested to cause information to be laid before the senate at the commencement of the next session of congress, on the following points:

1. The amount of revenue which may be reduced on dutiable articles, without affecting the protection intended to be continued by the act of March 2d, 1833, to domestic manufacturers.

2. The amount of net revenue which will probably be received from customs from 1836 to 1842, inclusively.

3. The amount of revenue which will probably be received from public lands for the same period, if no change takes place in the price of lands.

4. The amount of revenue from the same source, if the price of the refuse lands should be reduced, and the lands should be so disposed of as to promote the settlement of the country, and should cease to be a source of revenue, except to defray the expense of their management, and of extinguishing the Indian titles.

5. The times and proportions in which the amount of stock held in the bank of the United States will probably be returned to the treasury, if no act be passed by congress for the sale of said stock.

6. The probable amount of the expenditures of the government annually, to the end of the year 1842

7. The state of the fortifications, so as to show the number of forts of the first, second, and third classes, now constructed in the United States; the number heretofore proposed and recommended by the war department, but not yet constructed; and the number which would probably be necessary to the complete and adequate defence of the lake, maritime, and gulf frontiers of the United States, and such points of the land frontier as may be believed to require permanent fortifications.

8. The amount expended, since 1816, in constructing forts, and the amount that would be necessary to complete the construction of the entire system of permanent fortifications for the United States.

9. The amount which has been expended since 1816, in providing for the fortifications, and the amount which would probably be necessary to complete the armament of all fortifications required for the defence of the United States.

10. The amount which would probably be necessary to construct an adequate number of armories and arsenals in the U. States, and to supply the states with field artillery—especially brass pieces—for their militia, and with side arms and pistols for their cavalry.

11. The amount expended, since 1816, in the gradual increase of the navy, on navy yards and dock yards, and the amount necessary to be expended on each of these objects, to place the naval defence of the United States upon the footing of strength and respectability which is due to the security and the welfare of the union.

12. And that the president be requested to cause to be communicated to the senate, at the same time, any other information connected with the revenue and expenditure of the government, and with the defence of the union, which shall come within the scope of the foregoing inquiries, or which in his judgment shall be necessary to be communicated.

Now is the auspicious moment, said Mr. B. for the republic to rouse from the apathy into which it has lately sunk on the subject of national defence. The public debt is paid; a sum of six or seven millions will come from the bank; some surpluses may occur; let the national defence become the next great object, after the payment of the debt, and all spare money go to that purpose. If further stimulus were wanted, it might be found in the present aspect of our foreign affairs, and in the reproaches, the taunts, and in the offensive insinuations which certain gentlemen have been indulging in for two months with respect to the defenceless state of the coast! and which they attribute to the negligence of the administration. Certainly such gentlemen will not take that money for distribution, for the immediate application of which their defenceless country is now crying aloud, and stretching forth her imploring hands.

Mr. B. would here avail himself of a voice more potential than his own to enforce attention to the great object of national defence, the revival of which he was now attempting. It was a voice which the senator from South Carolina, the author of this proposition to squander in distributions the funds which should be sacred to defence, would instantly recognize. It was an extract from a message communicated to congress, December 3d, 1822, by president Monroe. Whether considered under the relation of similarity which it bears to the language and sentiments of cotemporaneous reports from the then head of the war department, the position which the writer of those reports then held in relation to president Monroe, the right which he possessed, as secretary of war, to know, at the least, what was put into the message in relation to measures connected with his department; considered under any, and all of these aspects, the extracts which he was about to read, might be considered as expressing the sentiments, if not speaking the words, of the gentleman who now sees no object of utility in providing for the defence of his country, and who then plead the cause of that defence with so much truth and energy, and with such commendable excess of patriotic zeal.

Mr. B. then read as follows:

"Should war break out in any of those countries, (the European), who can foretell the extent to which it may be carried, or the desolation which may spread? Exempt as we are from these causes, (of European civil wars), our internal tranquillity is secure; and distant as we are from the troubled scene, and faithful to just principles, in regard to other powers, we might reasonably presume that we should not be molested by them. This, however, ought not to be calculated on as certain. Unprovoked injuries are often inflicted, and even the peculiar felicity of our situation might, with some, be a cause of excitement and aggression. The history of the late wars in Europe furnishes a complete demonstration that no system of conduct, however correct in principle, can protect neutral powers from injury from any party; that a DEFENCELESS POSITION and *distinguished love of peace* are the surest invitations to war; and that there is no way to avoid it, other than by being always PREPARED, and willing, for just cause, to meet it. If there be a people on earth, whose more especial duty is to be, AT ALL TIMES, prepared to *defend* the rights with which they are blessed, and to surpass all others in *sustaining the necessary* BURTHENS, *and in submitting to* SACRIFICES *to make such* PREPARATIONS, *it is undoubtedly* the people of these states."

Mr. B. having read thus far, stopped to make a remark, and but a remark, upon a single sentiment in it. He would not weaken the force and energy of the whole passage by going over it in detail; but he invoked attention upon the last sentiment—our peculiar duty, so strongly painted, to sustain burthens, and submit to sacrifices, to accomplish the noble object of putting our country into an attitude of defence! The ease with which we can prepare for the same defence now by the facile operation of applying to that purpose surpluses of revenue and bank stock, for which we have no other use, was the point on which he would invoke and arrest the senate's attention.

Mr. B. resumed his reading, and read the next paragraph which enumerated all the causes which might lead to general war in Europe, and our involvement in it, and concluded with the declaration "*That the reasons for pushing forward all our measures of defence, with the utmost vigor, appear to me to acquire new force.*" And then added, these causes for European war are now in as great force as then; the danger of our involvement is more apparent now than then; the reasons for sensibility to our national honor are nearer now than then; and upon all the principles of the passage from which he was reading, the reasons for pushing forward all our measures of defence with the utmost vigor, possessed far more force in this present year 1835, than they did in the year 1822.

Mr. B. continued to read:

"The United States owe to the world a great example, and, by means thereof, to the cause of liberty and humanity a generous support. They have so far succeeded, to the satisfaction of the virtuous and enlightened of every country. There is no reason to doubt, that their whole movement will be regulated by a sacred regard to principle, all our institutions being founded on that basis. The ability to support our own cause, under any trial to which it may be exposed, is the great point on which the public solicitude rests. It has often been charged against free governments, that they have neither the foresight, nor the virtue, to provide at the proper season for great emergencies; that their course is improvident and expensive; that war will always find them unprepared; and whatever may be its calamities, that its terrible warnings will be disregarded and forgotten as soon as peace returns. I have full confidence that this charge, so far as it relates to the United States, will be shown to be utterly destitute of truth."

Mr. B. as he closed the book, said, he would make a few remarks upon some of the points in this passage, which he had last read. The reproach so often charged upon free governments for want of foresight and virtue, their improvidence and expensiveness, their proneness to disregard and forget in peace the warning lessons of the most terrible calamities of war. And he would take the liberty to suggest that, of all the mortal beings now alive upon this earth, the author of the report under discussion ought to be the last to disregard and to forget, the solemn and impressive admonition which the passage conveyed! the last to so act as to subject his government to the mortifying charge which has been so often cast upon them! the last to subject the VIRTUE of the people to the humiliating trial of deciding between the defence and the plunder of their country!

Mr. B. dwelt a moment on another point in the passage which he had read—the great example which this republic owed to the world, and to the cause of free governments, to prove itself capable of supporting its cause under every trial; and that by providing in peace for the dangers of war. It was a striking point in the passage, and presented a grand and philosophic conception to the reflecting mind. The example to be shown to the world, and the duty of this republic to exhibit it, was an elevated and patriotic conception, and worthy of the genius which then presided over the war department. But what is the example which we are now required to exhibit? It is that of a people preferring the spoils of their country to its defence! It is that of the electioneerer, going from city to city, from house to house, even to the uninformed tenant of the distant hamlet, who has no means of detecting the fallacies which are brought from afar, to deceive his understanding: it is the example of this electioneerer, with slate and pencil in his hand, (and here Mr. B. took up an old book cover, and a pencil, and stooped over it to make figures, as if working out a little sum in arithmetic), it is the example of this electioneerer offering for distribution that money which should be sacred to the defence of his country, and pointing out for overthrow, at the next election, every candidate for office who should be found in opposition to this wretched and deceptive scheme of distribution. This is the example which it is proposed that we should now exhibit. And little did it enter into his (Mr. B's) imagination, about the time that message was written, that it should fall to his lot to plead for the defence of his country against the author of this report. He admired the grandeur of conception which the reports of the war office then displayed. He said he differed from the party with whom he then acted, in giving a general, though not a universal, support to the secretary of war. He looked to him as one who, when mellowed by age, and chastened by experience, might be among the most admired presidents that ever filled the presidential chair. (Mr. B. by a *lapsus linguæ*, said throne, but corrected the expression on its echo from the galleries).

Mr. B. said there *was* an example which it was worthy to imitate; that of France; her coast defended by forts and batteries, behind which the rich city reposed in safety—the tranquil peasant cultivated his vine in security—while the proud navy of England sailed innoxious before them, a spectacle of amusement, not an object of terror. And there *was* an example to be avoided; the case of our own America during the late war; when the approach of a British squadron, upon any point of our extended coast, was the signal for flight, for terror, for consternation; when the hearts of the brave and the almost naked bands of heroes, were the sole reliance for defence; and where those hearts and those hands could not come, the sacred soil of our country was invaded; the ruffian soldier, and the rude sailor, became the insolent masters of our citizens' houses, their footsteps marked by the desolation of fields, the conflagration of cities, the flight of virgins, the violation of matrons! the blood of fathers, husbands, sons! This is the example which we should avoid!

But the amendment is to be temporary. It is only to last till 1842. What an idea! a temporary alteration in a constitution made for endless ages! But, let no one think it will be temporary, if once adopted. No! if the people once come to taste that blood; if they once bring themselves to the acceptance of money from the treasury, they are gone forever. They will take that money in all time to come; and he that promises most, receives most votes. The corruption of the Romans, the debauchment of the voters, the venality of elections, commenced with the tribunitial distributions of corn out of the public granaries; it advanced to the distribution of the spoils of foreign nations, brought home to Rome by victorious generals, and divided out among the people; it ended in bringing the spoils of the country into the canvass for the consulship; and in putting up the diadem of empire itself to be knocked down to the hammer of the auctioneer. In our America there can be no spoils of conquered nations to distribute. Her own treasury—her own lands—can alone furnish the fund. Begin it once, no matter how, or upon what; surplus revenue, the proceeds of the lands, or the lands themselves; no matter; the progress and the issue of the whole game, is as inevitable as it is obvious! Candidates bid, the voters listen; and a plundered and pillaged country—the empty skin of an immolated victim—is the prize, and the spoil, of the last, and the highest bidder.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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A friend in *Ohio* has sent us a pamphlet containing the governor's message opening the late extra session of the legislature, with its accompanying documents—also a long report of a joint select committee, and a copy of the bill introduced for a temporary arrangement as to the disputed boundary with Michigan, on the suggestion of the United States commissioners, Messrs. *Rush* and *Howard*—which, with other things, are inserted, or noticed at sufficient length for the present, in subsequent pages.

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We present two "modern antiquities" this week. The first is an essay "on the cultivation and manufacture of cotton, in America," published in the "Aurora" in 1802—and is from the pen of that early and able friend of domestic industry, *Tench Coxe*. The second is "on the origin of steamboats and steam wagons," by *Oliver Evans*—and was published in an extra sheet appended to the third volume of the *Register*. The one having a period of about 33 years, and the other of 23 years—but are as if written previous to the time when "admiral Noah" entered into the ark!

When Mr. Coxe prepared his essay, the amount of cotton exported was 27,501,075 lbs. and the whole produce did not much exceed 35 millions; and its manufacture in the United States was confined to the labors of a few individuals with the common spinning wheel, though some jennies had been introduced, and were in use, at the time. In the last year, 1834, the export of cotton was 376,631,970 lbs. and its value 49,448,402 dollars—its whole product being not less than 460 millions of pounds, and affording subsistence, by its manufacture, to at least 150,000 persons in the United States—there being nearly 1,000 mills, and a capital engaged in them of about 50 millions of dollars!

Nor are the remarks about *coal*, the manufacture of *iron*, the *distance* of the locations of Connecticut, &c. with the approaching *scarcity of fuel*, less worthy of notice: and these, it must be recollected, were the opinions of one of the most enlightened and best thinking men of his day on such subjects. His estimate of the value of certain American manufactures, is curiously interesting. To the latter we shall add another, shewing our opinion of their amount at the present time—and other points will also be stated, in contrast. The current value of the manufactures of the United States, according to Mr. Coxe's classification, certainly exceeds *five hundred millions per annum:* and it is this vast amount of value, together with that of cotton and other things exported, which makes the HOME MARKET, the supply and the demand, that we must depend on for a continuation of prosperity—if possible to exist under its present state of speculative excitement.

And what has happened since Mr. *Evans* "dreamed" about steam? Boats and wagons are to be found every where! Every river is penetrated, mountain passed or valley crossed, by one or the other, and, as with the flight of a bird!—and, steady as time, the barge or the car, moved by "gigantic arms," goes onward!—yet further onward, and faster and faster! *Science has conquered space.* The people of places 1,000 miles apart, are near neighbors; and *Oliver Evans*, accounted insane because of his predictions, nearly lived to see them literally fulfilled!

How wonderful! But even to refer to the events that have happened in 30 years, would "make a book"—which we shall not do, at present. We would, however, exhort every one to reflect a little on things as they *were*, and as they *are*—whether in regard to the condition of the *agriculture, manufactures* and *internal communications* of the people of the United States. *These are the bonds that must keep us an united and happy people.* They make us feel our mutual wants, and mutual dependence, one upon another, for all the necessaries, conveniencies and luxuries that we enjoy. They link us together in peace; and in war "a thousand or two" miles travel would be regarded only as an excursion to assist one another. The time is close at hand when a force from Washington may reach New Orleans in about ten days, without fatigue, and fitted for duty on the instant of their arrival, by steamboats and steam wagons.

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The debate on the bill concerning executive patronage is continued. The remarks of Mr. *Calhoun* contain a fearful extract from a former report of Mr. *Benton*—which singularly applies to the late Baltimore convention. But the character of things has materially changed—and persons are rewarded according to their services, as a matter of course, for *extra* duty.

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We have a copy of a letter from col. *Johnson* accepting the nomination of vice president, which must be postponed, (with several other articles), until our next.

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We have several times seen an allusion made in the New York papers, to the remark of a distinguished politician of that state, made in the convention of 1822, as to the power of what he called the "FLOATING POPULATION" over the result of elections. This has become a matter of great interest, and we should much like to see all that was said on the subject.

From our earliest reflections on political affairs until the present day, we have steadily desired that the right of suffrage should be extended to the FIXED POPULATION—and that the performance of civil duties, and a compliance with civil requisitions, should invest persons with civil rights, to the utmost limit that propriety would justify—but the power of the ballot is a great *privilege*, when granted to foreigners. We never were, (as was Mr. *Van Buren*, and others, in the New York convention, in which this subject was freely discussed), disposed to refuse the right of suffrage to any one *who might be found, whenever needed, to perform the duties of a citizen, being liable in person and property to* THE LAW—but have always considered the gift of suffrage to the "floating population" alluded to, as a casting of "THE CHILDREN'S BREAD UNTO DOGS," and as the most flagrant outrage that could be committed on the rights of the American people; persons being voted many times at a single election, at different places, and swearing as directed—for pay; though only, perhaps, a single week in the country, without a knowledge of men or things, and utterly ignorant, and entirely reckless of consequences, *having no stake in the community.* And thousands *who cannot read one line*, are called upon to decide questions of the most delicate character—and, by *brute force*, to prevent access to the polls by those that are *free born* and have a *natural right* of suffrage.

These facts are too notorious to admit of a doubt. It may be truly said that many of our cities and other populous districts, are *governed* and *taxed* by a "floating population," who can transfer themselves, and *all* the interest that they possess in society, at a moment's warning, any where else—who are able to carry off all that they have in a handkerchief! They are none the worse of this—provided only they keep within their proper sphere, and act there: but the idea that such persons should impose laws involving the payment of taxes by others, is intolerable. And it is the "floating population" that commands in many of our cities, and, by force, does what it pleases, through *combinations* which the fixed population cannot indulge in.

And—the New York "Evening Star," with reference to these matters says—

"The riots at the spring election of 1834 were the boldest attacks on the liberties of the people ever known in this country. An organized force, armed with deadly weapons, was brought into the field to overawe the freedom of election, and foreigners beat our citizens at the polls; beat the mayor, knocked

down and maltreated the watch, and, for a time, the peace and safety of the whole city was menaced. The ringleaders were richly rewarded by the Albany regency, and a number of the conspicuous rioters were arrested and bailed by their friends, since which time nothing has been heard of them—nothing done with them. In the following July, the abolition riots took place: the accused were tried, convicted and sent to the penitentiary. Justice overtook them speedily, because they were *Americans;* but the Irishmen engaged in the worst and most dangerous riots of the preceding spring remained untouched, and are still allowed to be free!"

We would not ascribe bad motives—but, if the thing be sifted, the difference in the two cases is really in this—that the *fixed* population answers to *the law*, but the "*floating* population" escapes, being unknown, and, of course, irresponsible, to the law.

There was an outrageous riot in New York, on Sunday last—but the mayor and police succeeded in quieting it, after great exertions, capturing some of the ringleaders—which the "Commercial Advertiser," in the "mirth of sorrow," advises shall be immediately dismissed, to save expenses!

☞Other riots, or indeed, a succession of them, have happened in New York, at and about the "Five Points," in the famous 6th ward—in which a physician was killed, who was attending a patient in the neighborhood, a Dr. McCaffrey, and many others very seriously injured—justice Lowndes being among the wounded. The mayor and police had severe duties to perform; but they arrested many persons, such as "Patrick O'Rourke, Patrick Mulooney, Tom Sullivan, Barney McCanan"—the police office was filled with them. It was proposed to organize a regiment of these, to be called the "*O'Connell guards!*" Several public houses were attacked during those affrays—and the city was in a most unfortunate condition.

The "Herald," speaking of these things, says—

Such proceedings are truly disgraceful to the city. Our constitution guarantees to all men equal protection, no matter to what nation they may belong. These desperate attacks upon public property call loudly for immediate municipal interference. The leaders of this disgraceful transaction ought to be discovered, and a warning example made of them. Under such a state of things, no individual can consider his life nor property safe. Why didn't the police do their duty? Have we none? or were they asleep?

These riots we believe began with the Irish of the Five Points on Sunday afternoon. That neighborhood and the contiguous streets have been a scene of demoralization ever since. The violent inhabitants of the city are prowling about every night. We have hitherto defended the Irish from the attacks of their foes—but we will not countenance any riotous proceedings in them or any others. We shall hold their clergy—from the bishop down to the sexton, responsible for the morals of their disciples. We must examine this matter seriously. Let the whole militia of the city turn out under the authority of the corporation, and put down at once this riotous disposition. If the Irish or others will not be quiet by mild words, other means must be adopted.

And the "*Commercial Advertiser*" observes—

As was expected, or rather feared, the tranquillity of the city was again disturbed last [or Monday] evening, by mobs composed partly of Irishmen and partly of Americans, between whom it was apparent that a hostile feeling existed. We are too heartily sick and disgusted with these miserable evidences of our unsound and unsafe condition, with such elements of discord and violence rankling among us, and but too many who ought to know and to do better, ready to excite them into fearful activity, to go into the details; it is enough to say, that crowds assembled in various places—that angry words were spoken, and soon followed by blows—that the watchmen and the police had great difficulty in restoring peace—that the mayor and other officers were present and did their duty; and that several of the rioters were arrested—but not until some property had been destroyed, and personal injury sustained by several individuals.

It is probable that the idea of forming an *Irish* regiment, of *American* citizens, has chiefly caused the excitement.

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The secretary of state, Mr. *Forsyth*, and secretary of the navy, Mr. *Dickerson*, returned last week to Washington.

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For the week ending on the 18th, there were seven deaths by cholera, at Maysville, Kentucky; and a considerable number had happened at Madison, Indiana—among them that of James H. Wallace, esq. one of the editors of the "Republican & Banner," whose decease was very sudden. The cholera had appeared at several other places.

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The *Constitution* frigate, com. *Elliott*, arrived at New York, on Tuesday last—left Plymouth May 17.

The following account of the landing of Mr. *Livingston*, is copied from the Journal of Commerce; and, indeed, is the substance of all that is said on the subject.

The frigate Constitution, commodore *Elliott*, came up this morning, fired a salute, and anchored in the North river. Mr. *Livingston* and family came ashore in a lieutenant's barge, under a second salute, and landed on the steps at Castle Garden. A great crowd had assembled on the Battery, who gave the minister a very cordial reception, and accompanied him to the house of a friend at the lower end of Greenwich street. From the steps Mr. *Livingston* addressed his fellow citizens in a brief speech, which was answered by hearty cheers. He expressed the satisfaction he felt at the cordial reception which had been given him, and assured his countrymen, that, during his absence it had been his constant desire to secure the rights and maintain the honor of the United States. He then withdrew to a window in the chamber, and a friend announced, that, in consequence of fatigue, it would be impossible for Mr. L. at that time to receive his fellow citizens individually, but it was expected that the corporation of the city would make a speedy arrangement for that purpose. [They did so, at the city hall.]

We are glad to learn *from the conversation of Mr. Livingston, that his return to the United States is not to be taken as an evil omen.* Among the reasons for it, is the desire to put the president in possession of his views more fully than he could well do by letter. He has not perceived among the people, or in the government of France, any hostile disposition towards us. On the whole, we find nothing to shake our often expressed confidence, that *our affairs with France will be brought to a satisfactory and friendly issue.* Mr. Livingston will soon repair to Washington, and no doubt government will in some way put the people in possession of the impressions made by his statements.

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The following is a communication inserted in the *National Gazette.* The moral sense of this community will not bear such broad faced imposture and indecent folly—and it should be abated.

The practice of making a saint of every wretch whose crimes have brought him to the gallows, has frequently been the subject of public reproof. Of all these crimes, piracy stands at the head of the list, both from its danger to society and the savage cruelty with which it is perpetrated. The case of the pirates executed at Boston, is prominent even in the history of piracies. The crew of the plundered vessel were confined below, and before the pirates left her they set fire to her with the intention that all on board should perish in the flames. This was happily prevented by the exertions of the prisoners in liberating themselves and extinguishing the fire. When the perpetrators of this atrocious crime are on the scaffold to meet its just reward, the attending priest, in the style of military authority, issues his mandate "*Spaniards, ascend to heaven.*" If this is not blasphemy, it is something so near it as to shock every sound moral or religious feeling. *It would hardly have been a subject of regret if the commander had marched with his company on their hopeful expedition.*

—

A letter from Bangor, published in Boston, speaking of the "fever of speculation" in the timber lands of *Maine*, says—

I have collected a number of facts in relation to the rise of the value of lands in Maine, some of which will amuse you. Among the passengers in the Bangor, on her passage down, was Mr. Chamberlain, formerly of Boston, who for some years past has been in this quarter, and is well acquainted with the lands below. He informs me that less than three years ago he procured a bond of a township of 23,000 acres at 42 cents, and went to Boston with it, but could not sell at any price. Of course he had to relinquish the bond. The next winter it was sold at 80 cents, and last summer the purchaser of it sold at $1 50. Within the last five weeks this land was sold to a company at $5, and it is now held at $8.

Land which was sold by the states of Maine and Massachusetts ten years ago, at 6, 12 and 14 cents, will now readily command 8 and 10 dollars the acre!

Major Hammatt, of this place, in 1828, purchased of Massachusetts, six townships. He had the privilege of selecting, at 25 cents per acre. He sold out again, some years afterwards, at $1 per acre, having made a handsome fortune by the speculation. He informed me yesterday that those townships were now worth *twelve hundred thousand dollars*, and would readily sell for that sum.

I could fill three sheets of paper with details of this kind; but I suppose they would not interest but a small class of our readers. B. Brown, of Vassalboro, who has recently given $10,000 *towards building a state lunatic asylum*, has cleared over $150,000 on one township.

I have noticed among the speculators at the Bangor house, several gentlemen who have failed in Boston within two or three years. Their good luck in this quarter has enabled them

to discharge all their debts, and to have heavy purses left for future use. This is well. Enterprise combined with honesty deserves a rich reward.

Many of the speculators here are men of small means. But they have a kind of *dare devil* feeling which is decidedly better than money. A man who is not the owner of one hundred dollars, will buy a township and sell it again within an hour, at a small advance, and pocket the profit, merely transferring all the responsibilities from his own shoulders to those of some other person, or persons, better able to bear them. This is the grand secret of "trade and commerce" in this hot bed of speculation and enterprise.

The ten lots of land which were sold yesterday at 11 and 1900 dollars per lot, were purchased for the sum of $2,500 of a Boston gentleman, who took the land for a bad debt. Here is an increase for land! But this is an every day story in Bangor.

State lands. Among the private sale of land at Bangor, last week, was that of a township owned by Benjamin Brown, esq. of Vassalborough, for $10 an acre, of 22,040 acres, amounting to $220,400. His son Albert G. Brown, bought the township a few years ago for less than $7,000. After Mr. Brown sold it at Bangor last week, for ten dollars per acre, it was sold again to an Albany company for twelve dollars per acre; making it amount to $264,480, or a *greater sum by more than a hundred thousand dollars than was asked by Massachusetts, at the time of separation, for her half of the whole undivided public lands of Maine!* At this rate the twenty townships appropriated to common schools would bring upwards of five millions of dollars.

[*Augusta Journal.*

The Newburyport Herald has the following fair hit at the monomania, now prevailing alike at the east, the west, the north and the south. The story *may not be true;* indeed, we dare not quite say we believe it literally ourselves, but it has some truth as an illustration, at least.

"It is rumored that one evening last week, two paupers escaped from the Bangor almshouse, and though they were caught early the next morning, yet in the meantime, before they were secured, they had made $1,800 each, by speculating in timber lands."

By the new militia law of Connecticut, reviving the old law, all ministers, doctors and students, between 18 and 35 years of age, are obliged to turn out and bear arms.

We learn from a gentleman who has recently returned from a visit to the western parts of New York that he was informed that the celebrated Indian chief CORN PLANT is still living, at his residence near the source of the Alleghany river, at the advanced age of 118 years. He is said to enjoy excellent health and to be able to mount and ride his horse with great ease: his wife and his wife's mother are also both still living, the first 108 and the latter 128 years old. We doubt if there can be found in any other one family in the world three persons of equally advanced ages.

The people of *Michigan* are already discussing the question, who *shall be* their senators and representatives in congress! *There is time enough yet.* This territory, we think, has taken a very short road to get into the union.

A splendid bridge is about to be constructed over the Ohio river at Louisville, the estimated cost of which is $350,000 to $400,000.

The *New York American* says—

Much exultation is evinced, by *the party* press, at the appointment, by the governor of Mississippi, of Mr. *Walker*, as a senator of the United States, in the place of Mr. *Poindexter*; their joy will, however, be short lived, since it has been finally decided by the senate of the United States, Mr. *Van Buren* Mr. *Benton*, and other unquestionable patriots, sustaining, and voting for that decision, that the expiration of a stated term of service of a senator, is not such a vacancy, in the contemplation of the constitution, as authorises the governor, in the recess of the legislature, to fill it up.

Mr. Walker, therefore, although he should present himself at Washington, in December next, will not be admitted to a seat in the senate.

[It is not at all certain that Mr. W. will be preferred by the people of Mississippi.]

The "*Harrisburgh Intelligencer*" says—

"The election of Joseph Ritner, as governor of the commonwealth, is now placed beyond a doubt. He will receive, we verily believe, a majority of some thousands over the united vote of Wolf and Muhlenberg. This glorious prospect should not however relax the efforts of the friends of the constitution and the laws. Prudent and conciliatory, yet energetic measures, should be taken to give effect to the victory. Pennsylvania is the first battle field where the people are to meet the legions of Van Buren. If we rescue this commonwealth from the partisans of federal dictation, we shall inspirit our friends throughout the union; we shall take from our enemies the almost impregnable batteries of state patronage, turn their own engines of war against themselves, and cut off all hope of subjugating the key stone state to him of Kinderhook. Let it be remembered, that the *only direct road from the capitol to the president's house, is through Pennsylvania avenue.* Let us entrench ourselves in power here, and the glory will be ours of saving the republic."

[One of the greatest meetings that ever happened in Philadelphia was held last week, at which it was resolved to support Mr. *Ritner*, by the whigs. Another like meeting was to be held at Pittsburgh. The office holders, ought, surely, to make their calculation that he will be elected; and turn about in time to save their places—if they can.]

We learn from the Philadelphia Inquirer, that the new steamboat *Constitution*, capt. J. Jeffries, left Chesnut street wharf, on Monday morning at 5 o'clock for Cape May. She made her passage down in 7 hours and 12 minutes—came up in 5 hours and 43 minutes. This is unparalleled—no other boat ever made her passages to and from Cape May in one day—or, we may say, in daylight. Mr. Bennett, the pilot of the Constitution, informs us that she has proved to be a first rate sea boat, as they had to encounter a strong westwardly wind coming up the bay.

The annual exports of the town of *Newark*, N. J. are ascertained to amount to *eight millions of dollars*, chiefly in the productions of the mechanic arts. The people are about to establish lines of packets to the southern states, and South America, &c.

There is an immense amount of travelling between Paterson and New York—the rail road being finished. Persons in the latter can now leave home at 3 P. M. visit the falls of the Passaic, and return to tea.

A vessel arrived in Boston, landed from 50 to 80 Irish passengers, men, women and children, and immediately sailed again. The passengers refused to give any information in relation to the vessel, or to tell whence they came, and their baggage was seized by the custom house. The Boston Post, however, says that the vessel was the schooner Caroline, from Eastport, and that the captain had been arrested and held to bail for the offence.

Very large quantities of wheat are now imported into western New York from Canada.

One of the neatest compliments on record is that paid by lord Camden to Fox, that "his price was immortality, and he knew that posterity would pay it."

It is estimated by Gutzlaff that China contains 361,000,000 of inhabitants, to an area of 1,400,000 square miles; giving 234 inhabitants per mile. This is less than Ireland, which has a population of 258 per square mile. It is calculated that the population of Ireland increases faster than any other country of the same extent in the world. China is supposed to be next.

Wool. The following article from the Commercial List and Philadelphia Price Current, of Saturday last, is deserving the attention of farmers generally:

This article is becoming one of the greatest importance to our country. Indeed, it would be difficult to account for its culture having so long been neglected, where all the means of producing it are so abundant. We know of no part of the world where wool has been higher on an average, for the last ten years, than in this country; and no one better calculated to raise it for export, than this. Instead of making it an article of remittance to Europe, we have been, and are at present, importing it in large quantities, the importer realizing (it is said) a fair profit for his enterprize. By the growth and manufacture of wool, England has added immensely to her wealth and power. Her clip has been estimated for some years past, to exceed one hundred and forty millions of pounds annually; while here, with a soil and climate better adapted for its growth, with lands at about one-eighth the price, and ten times more extensive, we do not produce more than seventy-five millions of pounds.

In 1830, after a careful investigation, the number of sheep in the United States were estimated at twenty millions, producing fifty millions of pounds of wool. At the present time a fair estimate would probably be above twenty eight millions.

SCRAPS.

A Dr. Wm. H. Mowbray was to have been hanged on the 19th inst. for seducing or stealing a negro, in North Carolina.

The Methodist church known as Trinity, in Richmond, has been destroyed by fire—it cost $10,000, and had an insurance of $4,500. The whole property destroyed was worth 30,000 dollars. A woman was killed.

Mr. *Davis*, late a member of congress from Kentucky, and a candidate for re-election, died shortly after addressing the people, a few days ago.

The corner stone of the new building to be attached to St. John's college, was laid at Annapolis on the 18th inst. by judge *Stephen*. An appropriate address was delivered by *John Johnson*, esq.

There have been powerful rains to the west, and the rivers are exceedingly full. The growing crops had been much injured.

Three salmon, taken near Haverhill, the first this season, and weighing 20, 21 and 24 pounds, brought $57.

Chief justice *Marshall*, we regret to learn, remains very unwell at Philadelphia.

Mr. *Collman*, of Washington, the alderman who took so large a part in the swearings against Mr. *Poindexter*, was left out, at the last election, two to one.

23,000 dollars of the money stolen from the *Darien* bank has been found by a negro drayman—who gave immediate information of its discovery, and would be rewarded.

DREADFUL TORNADO.

From the New York Gazette of June 23.

The city of New Brunswick, N. J. was the scene, on Friday afternoon last, of a most desolating tornado, which swept over its western section, causing much destruction of property, and, we regret to add, depriving several individuals of life.

As far as we are able to learn, the whirlwind or tornado first made its appearance with a falling of ice in the township of Amwell, near a place called Ringgold's, and taking an erratic zig zag course, spent its fury over Staten Island, in the neighborhood of Rossville, and on the bay, by another fall of large irregular shaped pieces of ice. Its first approach to New Brunswick was from the north west, passing over Middlebush, about three miles from that place, where the dwelling and barn of John French were laid prostrate with the earth. It thence passed over the farm of David Dunn, about two miles and a half from New Brunswick, whose dwelling was unroofed, and the barn and other out-buildings were razed to the ground. The out-houses attached to the premises of J. G. Wyckoff, in the same vicinity, were also destroyed. The next building which felt its effects was the dwelling of Thophilus Holkham, about one mile from New Brunswick, the roof of which was blown off. The barns of James Fisher and Abraham Blauvelt, in the outskirts of the city were next blown down, and a small dwelling belonging to Mr. Prevost was nearly destroyed, and the wife of Tunis Silcocks badly injured. The tornado had now reached the hill, "where," according to the New Brunswick Times, "it remained apparently fixed for a minute or two, presenting the appearance of a pillar of fire—its base resting on the earth, and its top reaching a mass of black clouds. It then took an eastern course, threatening Albany and Church streets, but suddenly changing its direction, swept across the town lot towards the dwelling of Mr. B. Myer, Mrs. Deare, professor McClelland, rev. John Croes, L. Kirkpatrick, esq. Mrs. Kirkpatrick and rev. Dr. Janeway, tearing the roofs off some, making literal wrecks of the barns and out-houses, and either uprooting or twisting off the largest trees—in some instances carrying the latter 20 or 30 paces. It then crossed to the buildings at the head of Paterson, Liberty, Bayard and Schureman streets, unroofing the house of Mrs. Harrisson, levelling the store of Mr. Little, and burying beneath the falling timber Nicholas Booraem, esq. and his eldest son Henry. Both were extricated a short time after—the son in a dying state, in which he lingered until 9 o'clock, when death relieved him from his sufferings—the father is not dangerously hurt. A young lad about 8 years of age, son of capt. Baird, was also killed near this spot, a rafter from the blacksmith's shop having struck him immediately above the eyes, and almost severed his head. The tornado now swept with increased force across George street, down Liberty, Schureman and New streets, crossing Nelson to Burnet street, a quarter of a mile in distance, down to the river, unroofing or tearing off the tops of the houses, and sweeping the lower doors and windows from their fastenings. Schureman and Liberty streets, from top to bottom, may be said to be a complete mass of ruins, as is likewise part of Burnet street. The Methodist church, a brick edifice, is damaged beyond repair, having been unroofed, and the eastern and southern walls blown down; and the rear wall of the Catholic church, also of brick, is drove into the body of the building."

The large dwelling of Dr. Janeway, at the junction of George street and the Trenton and New Brunswick turnpike, was completely unroofed; all the out-buildings razed to the ground, and the beautiful trees surrounding the house twisted off or torn up by the roots. His loss will not fall much short of $3,000.

The dwelling of Littleton Kirkpatrick was also unroofed, and all the out-houses demolished. Estimated loss $1,000. His mother's house was partly unroofed, and other damages.

The large pottery establishment occupied by Mr. Newell, and belonging to the estate of E. G. Mackay, at the corner of George and Liberty streets, was entirely destroyed, loss $2,500.

The dwelling of James Bishop, corner of Schureman and Burnet streets, was unroofed, and several store houses, containing a large quantity of corn, was totally destroyed. Probable loss between 3 and 4 thousand dollars.

The buildings of Richard Voorhees, coachmaker, in Schureman street, were entirely demolished, with nearly the whole of their contents, consisting of finished and unfinished work, tools, &c. Loss about $4,000. Under the ruins of this building were found the lifeless remains of widow Catharine Van Aresdale. Mr. Staats Van Duzen was also found under the same ruins, very much bruised; his life was providentially saved by a carriage wheel falling across his body, and thus shielding it from the pressure of the ruins.

Three dwelling houses also in Schureman street, the property of Nicholas Wyckoff, were very much injured. Loss $2,000. Two dwellings at the corner of Nelson street, belonging to widow Mary Furman, were unroofed and walls much damaged. Loss $1,500. The dwelling of Isaac C. Stelle, in Schureman street, was completely unroofed, and garden fence and shrubbery destroyed. Loss $1,000.

On Burnet street. Dr. Van Duzen's dwelling unroofed; storehouse and stable raised. Loss $1,000. Three or four dwellings, the property of Staats Van Duzen, unroofed, and storehouse demolished. Loss about $2,000. Charles Dunham's dwelling unroofed and otherwise injured; several store houses and out buildings on the wharf, blown down. Loss from 3 to $4,000. The dwelling and out buildings, including a storehouse, belonging to Brush & Probasco, all destroyed. Loss $2,000. Two dwellings, the property of Dr. Thomas Fitch, unroofed and other injury. Loss $1,000. The dwelling and cabinet workshop of Matthew Egerton, unroofed, &c. and a warehouse in the rear demolished. Loss from 1 to $2,000.

The Lancasterian school in Schureman street, belonging to the corporation, was damaged to the amount of $500.

Schureman street. F. F. Randolph's workshop completely demolished. Loss 500 to $1,000. Two dwellings belonging to Matthew L. Egerton, were unroofed and otherwise injured. Loss $700. Widow Corning's dwelling unroofed and workshop destroyed. Loss $500. Two dwellings, the property of widow Vreedenburg, damaged to the amount of $600.

Property belonging to the following named individuals was also more or less injured:

Schureman street. Miss Rachael Randolph, Walter McHenry, J. W. Stout, widow Stotoff, Mr. Rolph, Mr. Eldridge, widow Mary Dunham, A. Agnew, widow Van Doren, Asa Applegate, E. L. Hardenberg, (mayor), Adam Hayler, Borden M. Voorhees.

Burnet street. Evert Egerton, widow James Richmond, John Hatfield, Henry Frazer, John Hicks, James B. Cox, John Quick, Michael McCurlogue, Joseph C. Griggs.

New street. Dr. F. Richmond, Ambrose F. Randolph, Peter Wyckoff, Judge Hance, widow Davies, estate of Robert Boggs, John Taylor, Mrs. John Clark, Mrs. Hagerman, Aaron Hayden.

Neilson street. Henry Sanderson, H. H. Chittenden, Clark Rogers, Jacob Wyckoff, John Bray, jr. Dr. Lanny.

Prince street. Rev. Mr. Jones, D. W. Vail, Jonathan Ackerman.

George street. Mr. Ackerman, Ralph Voorhees, Soloman Freeman, Wm. G. Dunham.

Liberty street. Benjamin Clark, Mrs. Van Liew, Garret Nevius.

Henry and James Richmond, on Richmond st. and Mr. Mersereau, on the Trenton and New Brunswick turnpike.

From the above details, we feel safe in stating that the number of buildings destroyed and injured cannot fall short of *one hundred and fifty*, and that the loss of property may be estimated at *one hundred thousand dollars*.

Besides those who lost their lives, as above recorded, several persons were seriously injured, and many others slightly.

* * * * * * * *

Among the extraordinary occurrences which took place on this melancholy occasion, the fate of the son of Wm. G. Dunham (a small lad) was the most singular. He was taken off the piazza of the house, corner of New and George streets, carried in the air a distance of 300 yards, and landed on the wharf in Burnet street, having only sustained a slight injury in one of his arms. On being questioned as to his feelings, he stated that he recollected passing through the top of a willow tree, and that the sensation produced by being carried up in the whirlwind was like that of being pulled in contrary directions.

A bedstead was taken from the third story of a house in Schureman street, carried a distance of 200 yards, and landed in Burnet street, without having sustained the slightest injury. A carpet bag and some bedding were carried from the garret of Dr. Janeway's house to the river, a distance of nearly half a mile.

* * * * * * * *

After leaving New Brunswick, the tornado passed down the river a short distance, then took a course across the river, and passing over the farm of James T. Dunn, tore up several trees by the roots, laid all his out buildings in ruins, without doing the slightest damage to his dwelling. It then passed down to the farm of Joel Randal, and carried away part of the roof and gable end of his dwelling. Thence its course was over Piscataway, a small town, containing about a dozen houses, situated

) miles from New Brunswick. Here, every building except
s in the place, including the Episcopal church, was demo-
ed. We regret to add, that Mr. Thomas W. Harper, of
w York, was killed by being struck on the head by a beam.
understand that Mr. H. had just received the deed of some
perty which he had been purchasing, and that his visit to
ataway was for the purpose of making some arrangements
pecting it. He was a silversmith, residing at 31 Rose street,
has left a large family.

'he tornado then passed on towards Perth Amboy, where
building was destroyed, and spent its fury on Staten Island
above stated.

Having gone through with the details of this melancholy
ir, we now present our readers with the remarks of a friend
o was an eye witness of the whole scene, and which will
ble them to form a correct idea of this awfully sublime
ctacle. He says: The first intimation I had of the tornado's
roach, was the wind blowing in from both sides of the
se in which I was sitting. Immediately the cry of fire was
ed—I ran to the corner of the street and perceived in a
sterly direction, at about half a mile's distance, a black co-
an moving onward, not very rapidly, which had something
appearance of a smothered fire, and was mistaken for it. I
w what it was and ran into the house and closed all the win-
ws before it reached us. The whole atmosphere was filled
th fragments of timber, &c.—in a moment the house oppo-
was unroofed, as if it had been covered with paper. The
use in which I was, being at the edge of the current, escaped
injured, save that a rafter from the roof of a house about half
ile distant, thirty feet long, struck the edge of the window,
ring away the brick work and demolishing the sash, and
sed into the wall of the room.

The track of the tornado was from north west to south east,
d from a minute investigation of its effects, does not appear
have been of the nature of a whirlwind ordinarily so called.
e violence appears to have been produced not from a whirl-
motion, but from two currents rushing towards each other—
the same time having an onward motion. In the centre of
e track the force appears to have been upwards with some-
ng of a whirling movement. The facts which substantiate
is opinion are these. In the town wherever a building has
en moved, if it was at the edge of the current, its direction
as inwards; if at the centre, onwards. But these effects are
ore strongly marked in the woods, where the direction of al-
ost every tree accords with this statement—at the extreme
ge of the trees are nearly at right angles with the course,
oping more as you proceed towards the centre, where there
some confusion, but the direction is almost invariably with
e current.

When the intelligence of the disaster reach Princeton, seve-
l of the professors of the college immediately proceeded to the
ene of devastation. They made a minute examination of the
ot visited by the tornado, and will doubtless furnish the pub-
with an interesting scientific statement on the subject of this
currence—the like of which has never before occurred in this
titude.

As some persons may be disposed to doubt the account re-
ecting the lad Dunham, we will merely state that during a
hirlwind which occurred in Burgundy in 1755, the particulars
which are given by Abbe Richard, it is stated that "two men
ere enveloped in the whirlwind and carried to a distance,
ithout experiencing any injury; a young shepherd was lifted
gh in the air and thrown upon the banks of the river—yet his
ll was not violent, the whirlwind having placed him on the
erge where it ceased to act." The case of the shepherd is
recisely similar to that of young Dunham, and in fact the
hole account of the above mentioned tornado which took
lace in the town of Mirabeau, bears a surprising similarity to
e one we have just related.

The number of buildings destroyed and injured, it is stated,
annot fall short of *one hundred and fifty*, and the loss of pro-
erty may be estimated at *one hundred thousand dollars*.

N THE CULTIVATION AND MANUFACTURE OF COTTON IN AMERICA.

By Tench Coxe, esq.—1802.

To the governments of the United States of America.

Inquiries which respect the internal economy of our ountry are of a peculiar importance to a nation without ransmarine dominions, and which was born and educat-d under the instructions and regimen of an European arent. It was not till after the lapse of fourteen years rom the period of separation, that we became united in hat system of civil polity (different from every ancient r modern plan) which we enjoy at this time. It was ot till after a longer term that we freed the American nind from the influences of the principles of the eccle-iastical *establishments and institutions*, which predomi-ate in fact or by law in the three kingdoms, in union with which we commenced our being. The commercial pirit of those kingdoms passed over to us, occasioned our eyes to be long shut to the important truth, that *the agricultural interest* was the most important in our coun-ry. Blinded by the same cause, we did not perceive that we were capable of the useful arts and trades, though necessary and profitable manufactures had grown up among us as spontaneously as the trees of our forests.

America has ever profited by deliberate and calm self-examination, and no disquisitions have tended more to her honor and prosperity than those, which have been calculated to produce a conduct grounded on *the nature and circumstances of things at home.*

It is now seventeen years since the course of those in-quiries led us to enter upon the subject of the MANUFAC-TURING BRANCHES *of trade*, in more form and with as much zeal as at any former period. The advancement of the manufactures of *the instruments of defence*, of paper, books, maps, prints and other things instrument-al to useful knowledge and science, of household fabrics, of the implements of agriculture, navigation and the use-ful trades, of every description of furniture and carriag-es, of sugar, snuff and tobacco, of malt and spirituous liquors, &c. &c. evince the beneficial consequences.

The object of this address is to pursue *domestic inqui-ry*—to pursue it in relation to *home manufactures*—to pursue it *with a view to the adoption (perhaps) of a new principle of public conduct.* To this end a question is proposed to be respectfully submitted to the federal and state governments.

"*Whether the United States may not safely and pro-fitably make an experiment of well devised and complete encouragements to some one branch of American manu-factures; and what that branch should be?*"

Many of the most early and zealous friends of Ameri-can manufactures have hitherto refrained from suggest-ing that the productions of our domestic arts and trades should be *generally* encouraged by high duties on the importation of foreign rival goods. They have feared to impede *the improvements of the country* by excessive duties on foreign articles used in building houses, stores, mills, &c. They have feared to impede *the progress of knowledge* by excessive duties on foreign books, and the instruments of science. They have feared to burthen *the poor, the young beginners, the industrious and the great mass of the people*, by excessive duties on foreign manu-factured goods *for their clothing, furniture and general consumption.* The best friends of American manufac-tures have feared that high *general* duties might embar-rass or derange our finances and public credit, by affect-ing fair and free importation. They have prudently re-spected the doubts of many of our fellow citizens about our *interest in manufactures* and *our abilities to produce them.* They have been uncertain about the acquisition of foreign machinery, manufacturing secrets and arti-zans. They have seen the possibility that foreign trade laws might be so framed as entirely to prevent the im-portation of the *properest* raw materials. They have feared that too many of our farmers might be diverted from agriculture to manufactures. Other objections have occurred, and the moderation, prudence and candor of the friends of American manufactures have cheerfully yielded to every reasonable doubt, and to every fair ar-gument, in its full weight.

It has happened, however, that *for the mere purposes of revenue*, an impost has been laid upon all foreign rival *manufactures.* This impost has been gradually increas-ed from 5 to 7½, 10 and 12½ per cent. which last is, at this time, the lowest rate of duty. It is also true, that *for the proper and declared encouragement of certain ma-nufactures*, additions to the lowest rate of duty have been made of 2½, 5 and 7½ per cent. so that various Ame-rican manufactures are encouraged by duties on the *fo-reign rival* commodities of 2½, 15, 17½ and 20 per cent. Besides these, there are import duties on particular arti-cles, which are at higher rates. The duties, for exam-ple, of 8 cents per gallon, on all *fermented* malt liquors, and 20 cents per gallon on spirits *distilled* from grain; 6½ to 9 cents per *lb.* on refined sugars; 50 cents per *doz.* on wool and cotton cards; 400 cents per *cwt.* on twine and pack threads; 25 cents per pair on shoes; 2 cents per *lb.* on soap and candles; 10 cents and 22 cents per *lb.* on ma-nufactured tobacco and snuff, &c. &c.

Under these gradual, moderate and prudent encou-ragements commenced by the states before 1789, and pursued since by the federal government, a scene of *do-mestic* manufactures, reflecting honor upon the internal economy of the United States, and greatly redounding

to their benefit, has imperceptibly arisen. We hazard once more a revised sketch of them, and upon *mature reflection*, we are not disposed to doubt the correctness of *the interesting sum total.*

An attempt to estimate certain American manufactures.

Refined sugar, of all kinds,	$1,000,000
Shoemakers' manufactures,	8,000,000
Hatters' do.	1,225,000
Carriages for *pleasure*, including repairs within the year,	500,000
Carriages for *work*, including like repairs,	500,000
All leathern goods, exclusive of shoes, boots, slippers and carriage leather,	1,000,000
Cabinet work of all kinds, framing pictures and compositions,	1,000,000
Gold and silver plate and wares, and set and fancy work,	500,000
The *whole* of our iron manufactures, including farming implements, cannon, muskets, steel, &c.	4,000,000
The *whole* of our *hemp, flax, cotton, hair, wool and silk, which are manufactured*, exclusive of hats,	20,000,000
Beer, ale and porter,	500,000
Distilled spirits, 10,000,000 gallons from molasses, grain, fruit, &c.	5,000,000
Coppersmiths' work, lead, pewter and brass wares,	500,000
Tinmans' do.	200,000
Coopers' wares, oak, pine, cedar, &c. for *home use*, and for our *exports*,	1,000,000
Ships, boats and oars, &c. including repairs,	3,000,000
Earthen, glass and stone wares,	350,000
Windsor chairs, settees, and painted, gilt and varnished do.	100,000
Horn, ivory and whalebone manufactures,	10,000
Starch, hair powder, wafers and glue,	50,000
Soap and candles,	300,000
Wire work, including cotton and wool cards,	50,000
Wheel-barrows, hand do. corn fans, plane stocks, machinery, &c.	50,000
Paper making, including hangings,	500,000
Gunpowder,	500,000
Book printing, binding and engraving,	1,000,000
	$50,835,000

It is not believed that any item in the preceding estimate materially exceeds the truth, and we are *confident* that if all unnoticed branches were added, it would be impossible to reduce the total sum below fifty millions of dollars.

If the list shall be carefully examined it will be found that these manufactures give a *vast*—an *immense* support to our planters, farmers, freeholders and fishermen, by the demand for our country and fishing produce, and for buildings, and that some of them are highly favorable to the American ship owners, by employing imported molasses, sugars, skins, woods, dyes, metals, hemp, flax, wool, tallow and other raw materials and ingredients.

Are we prepared to sacrifice *this noble increasing branch of American industry?* Will we suffer ourselves to neglect it for a moment? Will we not rather continue prudently to nurse, to foster and to encourage the useful arts and manufactures? There can be but one opinion—one reply. But it ought to be the unanimous endeavor to promote American manufactures *with as much deliberation and prudence* as effect. Let us take care not to disturb our *necessary* revenues, not to derange our *well ordered* finances, not to impose *unreasonable* burdens on the consumer, not to attempt manifest *impracticabilities*, not to impede our *young* improvements, and not to aim at *too much* by touching the subject with strong alternatives at *too many points*.

We cannot at this crisis encourage, by additional increasing and prohibitory duties, *all* American manufactures, without producing most of the evils we have held up, in candid prudence, in this investigation. It is not meant therefore to press upon the public consideration, at this moment, any *general measures* to promote American manufactures. It is not intended here to ask *even the consideration* of such measures in favor of any *two* branches; it is merely wished that new and proper protections and encouragement may be *considered* in reference to some *one* single branch. No *material* or *sudden* diminution of our revenues can be produced by higher duties not very slowly increasing upon a single branch; and no objection to a general forcing of manufactures more deserves to be respected than the possible injuries to our revenue, finances and public credit. These are *never* to be *injured—never* to be put at *hazard*. Let them be *forever* protected by all our prudence, and by perfect good faith. But let us proceed to select, merely by way of example, a single branch of American manufactures, and apply to its discussion our soundest principles and our best reflections.

The cotton manufacture of the United States of America is proposed to be encouraged, extended, protected and established by all the means in our power. Being a *single* branch of manufacture, it cannot put any large sum of *present* revenue at hazard. The amount of cotton goods imported is very far inferior to that of the *woollen* goods imported; it is also supposed to be considerably inferior to the value of the linen goods imported. The iron goods imported are likewise greater in value; the duties on foreign liquors and foreign sugars are much greater. As therefore the present duties on cotton goods are not even of *secondary* consequence in our scale of revenue, *gradual* diminution of that part of the revenue could not sensibly affect our resources. As the revenue from no *single* article can derange our treasury business, so this particular revenue (from foreign cotton goods) cannot from its moderation be even felt; but if we raise the duty on such goods from 12 or 15 to 20 or 25 per cent. the first year, the *extra* duty on a *less* quantity imported may yield nearly an equal revenue. It is respectfully submitted, whether these considerations do not obviate the objections, justly urged at this time, against the dangers of *universal* high protecting duties destroying or deranging our *impost revenue*.

The vast extent of country which will produce cotton, is a serious consideration to induce a selection of it for extraordinary encouragement. From the southern boundary to the fortieth degree of north latitude, cotton has certainly been produced. It may therefore prove to be worthy of the attention of all our citizens, living south of a line drawn from Tom's river, through Philadelphia and Pittsburgh; and this invaluable plant does not refuse its increase in light, weak and stony soils.

The manufacture of cotton merits the universal consideration of the American people, because it will render cotton-wool a permanent staple article of agriculture and trade; and, by fixing it forever upon that footing, will make an important addition to the variety of American commodities, and of course to the stability of their prices. If all our countrymen were employed in raising rice, tobacco, wheat and cattle, those commodities would often be distressingly low from their redundance; but if half the states shall raise tens of millions of cotton, then will our wheat, cattle, &c. support much better prices.

As the cotton manufacture is effected more than any other by labor-saving machines, it is freer from the objection of the dearness of labor than any other; and it is perfectly clear, that the dearness of labor is an argument for any labor-saving plan.

As there are very few of our native citizens who understand the cotton manufacture by machines, the promotion of this branch will not divert many of our farmers from agriculture.

We have an unlimited command of the powers of steam, horses, draught oxen and water, to move our cotton machines and mills.

We have lately disengaged the powers of the earth to produce cotton, by the discovery and extensive use of a variety of mills and machines, to free the cotton-wool from the cotton seed. Fifty thousand dollars have been granted by a single state to purchase the patent right of a cotton-ginning or cleaning machine within its own jurisdiction. This fact does honor to the wisdom, spirit and fairness of South Carolina. We have obtained and possess the common hand spinning jenny, which makes by one person, male or female, from 40 to 120 cotton threads at one time; also the carding machine to go by hand, horse, ox or water; also the roving machine, to reduce cotton-wool into ropes or yarns of the size of a goose quill; also the mule, spinning by hand 120 fine threads; also the water-spinning machinery of Arkwright, to spin perpetually at any mill seat. We also possess the machinery for doubling and twisting thread, for hosiery, and the British and German stocking weaver's looms, for making every article of hosiery, from feet-socks to pantaloons.

There have arrived in the United States from Europe, a very considerable number of engine and machine makers, carders, spinners, rovers, twisters, weavers, calico

printers, dyers, &c. ready to work on wages as moderate as they received in Great Britain, Ireland and other parts of Europe. These persons want employment in their own proper lines of business. Every man among them who succeeds in this country will induce others to follow him. There are important and unalterable circumstances in the United States to draw men to us who are acquainted with every useful art and manufacture. Some of the most obvious of these are, perfect religious liberty; a sober equality of civil rights; the cheap and easy acquisition of freehold estates for residence, manufactories and farms; the cheapness of government and consequent moderation of taxes; the rare phenomenon of a voluntary executive and legislative reduction and abolition of duties and excises; the non-existence of tithes, excises and national land tax; the perfect security of property; the uniform success of numerous well intentional emigrants, and particularly from Great Britain and Ireland, Germany, France, Holland, Switzerland and Sweden. It is impossible to conceive that there can be any miscalculation, in confidently relying upon every necessary acquisition of the aid of foreign artists to conduct the American cotton manufactory, if it shall be vigorously and effectually encouraged by law, when we remember the great numbers of useful and able men, who have come to us from foreign countries, as ministers of religion, instructors of the rising generation, agriculturists, lawyers, physicians, merchants, land and sea officers, manufacturers, mechanics, journeymen, mariners and laborers in every line. If we have had such extensive advantages in procuring valuable foreign emigrants, who have been completely successful in branches not connected with labor-saving machinery, can we doubt much more rapid and great success in branches, where the saving of labor by the ingenuity and skill of one thousand hands will yield them and us the benefits of ten thousand?

It is favorable to an attempt to establish the cotton manufacture, that a large portion of the foreign cotton goods which we import, are died, stained, printed, or in some way colored; because indigo, woad, madder, various barks and other dye stuffs are produced in the United States; and other dye stuffs, which we do not produce, are daily imported from foreign countries, and reshipped from hence to other foreign parts.

In ancient Greece and Macedonia, now enslaved provinces of European Turkey, twenty thousand bales of cotton-wool, each weighing three hundred pounds, are spun annually into yarns or threads, and dyed with their own vermillion. The Greek and Macedonian women use neither the great nor the small spinning wheel, nor the jenny, the mule, the water spinning machinery, nor the carding nor roving machinery. They use only the spindle, without any addition. It is impossible then to doubt, that these states must succeed in the manufacture of their own cotton, with the powerful and various aids of the modern European labor-saving machinery, to card, rove, spin and twist. With such aids, and with all our other means and advantages, we cannot fail to succeed in a business, in which the unhappy subjects of the civil and religious despotism of Turkey have, for a series of years, done so much for domestic and foreign consumption.

There is an important reason for promoting our own cotton manufactures, arising out of the present circumstances of the East Indies. We receive from thence great quantities of cotton goods, which are not (as the manufactures of Great Britain) made out of our own cotton. The use of those East India cotton goods is doubly injurious: first, because we do not manufacture them; and, secondly, because we do not produce the cotton of which they are made. Though those ports of India belong to Great Britain, the parliament has absolutely prohibited the consumption of their cotton manufactures in Britain and Ireland. Those goods, of course, come to us in much greater quantities to rival the foreign and domestic manufactures of our cotton. If we were to refuse or burden the importation, the British East Indian would extend the cultivation of sugar, coffee, cocoa, ginger, spices, pimento, arnatto and other things adapted to their climate, which we consume and do not ourselves produce. They would manufacture more silks, more saltpetre and other fabrics, which we might require and admit, because they do not injure our agriculture, nor interfere with our cautious, but steady and unceasing endeavors to establish the American manufacture of cotton goods.

It is obvious to every man of correct information relative to the four original eastern states, that they are in a very serious situation as to wood and fuel. Their buildings are very generally of wood, and require large quantities of boards, scantling and logs to keep them in repair. Much wood is also wanted for new buildings, old and new fences, ships and boats, casks for their fish, pot ash, spirits, beef, pork, molasses, &c. and for the household fuel and workman's fuel. Their population is great and increasing. They have no mines of coal. The coal mines of the east are all in the hands of the British colonists. On those facts an important suggestion is respectfully submitted to the consideration of the people of the states east of the ship channel of the Hudson; that in every system of measures to promote the domestic or internal industry of those states, endeavors should be made to avoid new calls for wood and fuel of every kind. This suggestion is of a deeper intrinsic importance than may appear at first view to those to whom it is new. We will offer, as two examples, the British manufactures of iron and the British manufactures of cotton. We believe that the permanent and extensive establishment of the British manufactures of iron, in the states east of the parts of the Hudson navigable by ships, would prove very difficult from the total want of mines, pit or fossil coal, from the scarcity of wood for making charcoal, from the great scarcity of peat and turf there, and from the scarcity of wood for fuel and buildings. But we believe, that the very small use of fuel in the cotton manufacture itself, and the limited use of fuel by the people in that branch, which, effected by machinery, requires little fire to warm the small proportion of persons employed, are circumstances plainly and greatly in favor of the adoption of the cotton branch in the eastern parts of the United States. It is certain, that wood is become extremely scarce in all the old counties east of Hudson's river, and that not one productive coal mine has been discovered between the Delaware river and the eastern boundary of the United States. The wood and timber of Maine are consuming with great rapidity, and since freights are reduced by peace, will go forth in immense quantities. It is so distant from Connecticut, Rhode Island and Providence, and Massachusetts proper, that it will become a dear, as well as a mere temporary source of supply to them for timber and fuel, if manufactures by fire, employing numerous persons, who must be kept warm in a moist and cold climate, are to be extensively and permanently pursued. The true manufacturing policy of our eastern states is to carry to the utmost all household manufactures, and establish factories by labor-saving machinery at the heads of their ship or boat navigation, where they can derive the highest possible degree of benefit of their own wood and fuel, and of wood and fuel imported coastwise or from foreign ports. Cotton it will be found, therefore, is the properest raw material for them to employ. The same remarks apply to New Jersey and Delaware in full force.

If the north eastern moiety of the United States shall forthwith establish extensive and profitable manufactures employing cotton, which can be raised in immense quantities in the southern states, it will bind the members of our union more and more together. To defend, promote and preserve our union, is the fondest object of every sound mind, of every faithful heart, native or foreign, which partakes in the numerous blessings of our country.

It is beyond a doubt, that the use of cotton cloth for the under garments of man, next to the skin, contributes greatly to health, in damp, chilly and cold climates. In this view, shirting, sheeting and hosiery of cotton would prove far more salubrious than of flax, in certain seasons, in every quarter of America, and particularly in the parts east of the Hudson.

Every extensive manufactory that depends on a foreign raw material, is extremely precarious, because foreign laws, treaties and wars may diminish or prevent the importation. But as cotton is raised by ourselves, and will ever be redundant, the cotton manufacture will rest upon a more certain foundation than a manufacture which should employ any other raw material whatever.

The variety of fabrics to the making of which cotton can be applied, is a very important consideration in favor of attempting the cotton manufacture in preference to any other. The stoutest and the coarsest blankets can be made of the refuse cotton, and cambric muslins, of the most exquisite fineness, can also be made of cotton; the most beautiful table cloths and napkins, and coarse carpets; the stoutest corduroys and muslins, light as air; dimities, Marseilles quilting, shirting, sheeting, tickings, pillow cases, jeans, jeanets, fustians, denims, cottonades, fine and coarse hosiery for every age and sex, pantaloons, vests, mock cassimeres, mock serges, mock coating, mock cloths, neck and pocket handkerchiefs, lining and pocketings, dress and undress and chamber gowns, bed and window curtains, furniture covers, cravats, swansdowns, moleskins, plushes, velvets, and in short various goods applicable, as usual, to every purpose, or as substitutes for other fabrics heretofore made of wool, hemp, flax, silk and hair. Such is the unlimited capacity of the native North American raw material, whose future manufacture, under the protection of our government, we earnestly and respectfully recommend to the immediate consideration of all our public authorities.

A FRIEND OF AGRICULTURE.

STEAMBOATS AND STEAM WAGONS.

By Oliver Evans.

About the year 1772, being then an apprentice to a wheel-wright, or wagon maker, I labored to discover some means of propelling land carriages without animal power. All the modes that have since been tried (so far as I have heard of them) such as wind, treadles with ratched wheels, crank tooth, &c. to be wrought by men, presented themselves to my mind, but were considered too futile to deserve an experiment; and I concluded that such motion was impossible for want of a suitable original power.

But one of my brothers, on a Christmas evening, informed me that he had that day been in company with a neighboring blacksmith's boy; who, for amusement, had stopped up the touch-hole of a gun barrel, then put in about a gill of water and rammed down a tight wad—after which they put the breech in the smith's fire; when it discharged itself with as loud a *crack* as if it had been loaded with powder.

It immediately occurred to me that here was the power to propel any wagon, if I could only apply it; and I sat myself to work to find out the means. I labored for some time without success. At length a book fell into my hands describing the old atmospheric *steam engine*. I was astonished to observe that they had so far erred as to use the steam only to form a vacuum to apply the mere pressure of the atmosphere, instead of applying the elastic power of the steam for original motion; the power of which I supposed irresistible.

I renewed my studies with increased ardor, and soon declared that I could make *steam wagons*, and endeavored to communicate my ideas to others; but however practicable the thing appeared to me, my object only excited the ridicule of those to whom it was made known. But I persevered in my belief, and confirmed it by experiments that satisfied me of its reality.

In the year 1786 I petitioned the legislature of *Pennsylvania* for the exclusive right to use my improvements in flour mills, as also steam wagons, in that state. The committee to whom the petition was referred heard me very patiently while I described the *mill* improvements, but my representations concerning *steam wagons* made them think me insane. They, however, reported favorably respecting my improvements in the manufacture of flour, and passed an act granting me the exclusive use of them as prayed for. This act is dated March ——, 1787. But no notice is taken of the steam wagons.

A similar petition was also presented to the legislature of *Maryland*. Mr. *Jesse Hollingsworth*, from *Baltimore*, was one of the committee appointed to hear me, and report on the case. I candidly informed this committee of the fate of my application to the legislature of *Pennsylvania* respecting the steam wagons—declaring, at the same time, without the encouragement prayed for, I would never attempt to make them; but that, if they would secure to me the right as requested, I would, as soon as I could, apply the principle to practice; and I explained to them the great elastic power of steam, as well as my mode of applying it to propel wagons. Mr. *Hollingsworth* very prudently observed, that the grant could injure no one, for he did not think that any man in the world had thought of such a thing before: he therefore wished the encouragement might be afforded, as there was a prospect that it would produce something useful. This kind of argument had the desired effect, and a favorable report was made, May 21, 1787, granting to me, my heirs and assigns, for 14 years, the exclusive right to make and use my improvements in flour mills and the steam wagons, in that state. From that period I have felt myself bound in honor to the state of *Maryland* to produce a steam wagon, as soon as I could conveniently do it.

In the year 1789, I paid a visit to *Benjamin Chandlee & Sons*, clockmakers, men celebrated for their ingenuity, with a view to induce them to join me in the expense and profits of the project. I shewed to them my draughts with the plan of the engine, and explained the expansive power of steam; all which they appeared to understand, but fearful of the expense and difficulties attending it, declined the concern. However they certified that I had shewn to them the drawings and explained the powers, &c.

In the same year, I went to *Ellicott's* mills on the *Patapsco*, near *Baltimore*, for the purpose of persuading Messrs. *Jonathan Ellicott & Brothers*, and connections, (who were equally famous for their ingenuity), to join me in the expense and profits of making and using steam wagons. I also shewed to them my drawings, and minutely explained to them the powers of steam. They appeared fully to comprehend all I said, and in return informed me of some experiments they themselves had made, one of which they shewed me. They placed a gun barrel, having a hollow arm, with a small hole on one side at the end of the arm, similar to *Barker's* rotary tube mill, as described in the books; a gill of water put into this barrel, with fire applied to the breech, caused the steam to issue from the end of the arm with such force as, by reaction, to cause the machine to revolve, as I judged, about one thousand times in a minute, for the space of about five minutes, and with considerable force for so small a machine. I tarried here two days (May 10 and 11, 1789) using my best efforts to convince them of the possibility and practicability of propelling wagons, on good turnpike roads, by the great elastic power of steam. But they also feared the expense and difficulty of the execution, and declined the proposition. Yet they heartily esteemed my improvements in the manufacture of flour, and adopted them in their mills, as well as recommended them to others.

In the same year I communicated my project and explained my principles to *Levi Hollingsworth*, esq. now a merchant in Baltimore.* He appeared to understand them; but also declined a partnership in the scheme, for the same reasons as the former.

From the time of my discovering the principles and the means of applying them, I often endeavored to communicate them to those I believed might be interested in their application to wagons or boats. But very few could understand my explanations, and I could find no one willing to risk the expense of the experiment.

In the year 1785 or 6, before I had petitioned the legislatures, I fell in company with Mr. Samuel Jackson, of Redstone; and learning of him that he resided on the western waters, I endeavored to impress upon his mind the great utility and high importance of *steamboats*, to be propelled on them; telling him that I had discovered a steam engine so powerful according to its weight, that it would, by means of *paddle wheels*, (which I described to him) readily drive a vessel against the current of those waters with so great speed as to be highly beneficial.

*I certify, that *Oliver Evans* did, about the year 1789, communicate a project to me, of propelling land carriages by power of steam, and did solicit me to join him in the costs and profits of the same. LEVI HOLLINGSWORTH.

Baltimore, November 16, 1812.

I do certify, that some time about the year 1781, 31 years ago, *Oliver Evans*, in conversation with me, declared, that by the power of steam he could drive any thing—wagons, mills or vessels forward, by the same power, &c.

ENOCH ANDERSON.

November 15, 1812.

Mr. Jackson proves that he understood me well, for he has lately written letters, declaring that about twenty-six years before their date, I did describe to him the principles of the steam engine that I have since put into operation to drive mills, which he has seen—and that I also explained to him my plan for propelling boats by my steam engine, with *paddle wheels*, describing the very kind of wheels now used for this purpose; and that I then declared to him my intention to apply my engine to this particular object as soon as my pecuniary circumstances would permit.

In the year 1800 or 1801, never having found a man willing to contribute to the expense, or even to encourage me to risk it myself, it occurred to me that though I was then in full health, I might be suddenly carried off by the yellow fever, that had so often visited our city, (Philadelphia), or by some other disease or casualty to which all are liable, and that I had not yet discharged my debt of honor to the state of *Maryland* by producing the steam wagon. I determined, therefore, to set to work the next day and construct one. I first waited upon *Robert Patterson*, esq. professor of mathematics in the university of Pennsylvania, and explained to him my principles, as I also did to Mr. *Charles Taylor*, steam engineer, from England. They both declared these principles to be new to them, and highly worthy of a fair experiment, advising me without delay to prove them: in hopes I might produce a more simple, cheap and powerful steam engine than any in use. These gentlemen were the only persons who had such confidence, or afforded me such advice. I also communicated my plans to *B. H. Latrobe*, esq. at the same time; who publicly pronounced them chimerical, and attempted to demonstrate the absurdity of my principles, in his report to the *Philosophical society of Pennsylvania* on steam engines; in which same report he also attempts to shew the impossibility of making steamboats useful, on account of the weight of the engine; and I was one of the persons alluded to, as being seized with the *steam mania*, conceiving that wagons and boats could be propelled by steam engines. The liberality of the members of the society caused them to reject that part of his report which he designed as demonstrative of the absurdity of my principles; saying they had no right to set up their opinion as a stumbling block in the road of any exertions to make a discovery. They said, I might produce something useful, and ordered it to be stricken out. What a pity they did not also reject his demonstrations respecting steamboats! for notwithstanding them, they have run, are now running, and will run: so has my engine and all its principles completely succeeded—and so will land carriages, as soon as these principles are applied to them, as explained to the legislature of *Maryland* in 1787, and to others long before.

In consequence of the determination above alluded to, I hired hands and went to work to make a steam wagon, and had made considerable progress in the undertaking, when the thought struck me that as my steam engine was entirely different in form as well as in its principles from all others in use, that I could get a patent for it, and apply it to mills more profitably than to wagons; for until now I apprehended that as steam mills had been used in England, I could only obtain a patent for wagons and boats. I stopped the work immediately, and discharged my hands, until I could arrange my engine for mills, laying aside the steam wagon for a time of more leisure.

Two weeks afterwards, I commenced the construction of a small engine for a mill to grind plaister of Paris—the cylinder six inches in diameter, and stroke of the piston eighteen inches—believing that with $1,000 I could fully try the experiment. But before I was done with experiments, I found that I had expended $3,700—all that I could command. I had now to begin the world anew at the age of forty-eight, with a large family to support. I had calculated that if I failed in my experiment, the credit I had would be entirely lost; and without money or credit, at my advanced age, with many heavy incumbrances, my way through life appeared dark and gloomy indeed. But I succeeded perfectly with my little engine, and preserved my credit. I could break and grind 300 bushels of plaister of Paris, or 12 tons, in 24 hours; and to shew its operations more fully to the public, I applied it to saw stone on the side of Market street, where the driving of twelve saws, in heavy frames, sawing at the rate of 100 feet of marble stone in 12 hours, made a great shew, and excited much attention. I thought this was sufficient to convince the thousands of spectators of the utility of my discovery: but I frequently heard them inquire if the power could be applied to saw timber as well as stone, to grind grain, propel boats, &c. and though I answered in the affirmative, I found they still doubted. I therefore determined to apply my engine to all new uses to introduce it and them to the public.

This experiment completely tested the correctness of my principles, according to my most sanguine hopes. The power of my engine rises in a geometrical proportion, while the consumption of fuel has only an arithmetical ratio; in such proportion that every time I added one-fourth more to the consumption of fuel, the powers of the engine were doubled; and that twice the quantity of fuel required to drive one saw would drive 16 saws, at least; for when I drove two saws the consumption was 8 bushels coal in 12 hours, but when 12 saws were driven, the consumption was not more than 10 bushels; so that the more we resist the steam the greater is the effect of the engine. On these principles, very light, but powerful engines, can be made, suitable for propelling boats and land carriages, without the great incumbrance of their own weight, as mentioned in Mr. *Latrobe's* demonstrations.

In the year 1804, I constructed at my works, situate a mile and a half from the water, by order of the board of health of the city of Philadelphia, a machine for cleansing docks. It consisted of a large flat, or scow, with a steam engine of the power of five horses on board, to work machinery to raise the mud into flats. This was a fine opportunity to shew the public that my engine could propel both land and water carriages, and I resolved to do it. When the work was finished, I put wheels under it; and though it was equal in weight to *two hundred barrels of flour*, and the wheels fixed with wooden axletrees, for this temporary purpose, in a very rough manner, and with great friction, of course, yet with this small engine I transported my great burthen to the *Schuylkill* with ease; and, when it was launched in the water, I fixed a paddle wheel at the stern, and drove it down the *Schuylkill* to the *Delaware*, and up the *Delaware* to the city, leaving all the vessels going up behind me, at least, half way; the wind being a-head.

Some wise men undertook to ridicule my experiment of propelling this great weight on land, because the motion was too slow to be useful. I silenced them by answering, that I would make a carriage, to be propelled by steam, for a bet of $3,000, to run upon a level road against the swiftest horse they would produce. I was then as confident as I am now that such velocity could be given to carriages.

Having no doubt of the great utility of steam carriages on good turnpike roads, with proper arrangements for supplying them with water and fuel, and believing that all turnpike companies were deeply interested in putting them into operation, because they would smooth and mend the roads, instead of injuring them as the narrow wheels do, on the 26th of September, 1804, I submitted to the consideration of the Lancaster turnpike company, a statement of the cost and profits of a steam carriage to carry 100 barrels of flour, 50 miles in 24 hours—tending to shew, that one such steam carriage would make more net profits than ten wagons drawn by 10 horses each, on a good turnpike road, and offering to build such a carriage at a very low price. My address closed as follows:

"It is too much for an individual to put in operation, every improvement which he may invent.

"I have no doubt but that my engine will propel boats against the current of the Mississippi, and wagons on turnpike roads, with great profit. I now call upon those whose interest it is, to carry this invention into effect. All which is respectfully submitted for your consideration."

In the year 1805, I published a book describing the principles of my steam engine, with directions for working it, when applied to propel boats against the current of the *Mississippi*, and carriages on turnpike roads. And I am still willing to make a steam carriage that will run

15 miles an hour, on good level rail ways, on condition that I have double price if it shall run with that velocity, and nothing for it, if it shall not come up to that velocity. What can an inventor do more than to insure the performance of his inventions? Or, I will make the engine and apparatus, at a fair price, and *warrant* its utility for the purpose of conveying heavy burthens on good turnpike roads.

I feel it just to declare that, with Mr. *Latrobe*, I myself did believe, that with the ponderous and feeble steam engine, now used in boats, they could never be made useful in competition with sail boats, or to ascend the *Mississippi*, esteeming the current more powerful than it is. But I rejoice that, with him I have been mistaken; for I have lived to see boats succeed well with those engines; and still hope to see them so completely excelled and out-run by using my engines, as to induce the proprietors to exchange the old for the new, more cheap and powerful principles.

I have been highly delighted in reading a correspondence between *John Stevens*, esq. and the commissioners appointed by the legislature of *New York*, for fixing on the scite of the great canal proposed to be cut in that state. Mr. *Stevens* has taken a most comprehensive and very ingenious view of this important subject, and his plan of railways for the carriages to run upon, removes all the difficulties that remained. I have had the pleasure, also, of hearing gentlemen of the keenest penetration, and of great mechanical and philosophical talents, freely give into the belief that steam carriages will become very useful. Mr. *John Ellicott*, (of John), proposed to make roads of substances, such as the best turnpikes are made with, with a path for each wheel to run on, having a railway on posts in the middle to guide the tongue of the wagon, and to prevent any other carriage from travelling on it. Then, if the wheels were made broad and the paths smooth, there would be very little wear. Such roads might be cheaply made; they would last a long time and require very little repair. Such roads, I am inclined to believe, ought to be preferred, in the first instance, to those proposed by Mr. *Stevens;* as two ways could be made, in some parts of the country, for the same expense as one could be with wood. But either of the modes would answer the purpose, and the carriages might travel by night as well as in the day.

When we reflect upon the obstinate opposition that has been made by a great majority to every step towards improvement; from bad roads to turnpikes, from turnpikes to canal, from canals to railways for horse carriages, it is too much to expect the monstrous leap from bad roads to railways for steam carriages, at once. One step in a generation is all that we can hope for. If the present shall adopt canals, the next may try the railways with horses, and the third generation use the steam carriage.

But why may not the present generation, who have already good turnpikes, make the experiment of using steam carriages upon them? They will assurely effect the movement of heavy burthens, with a slow motion, of two and a half miles an hour; and as their progress need not be interrupted, they may travel fifty or sixty miles in the 24 hours. This is all that I hope to see in my time, and though I never expect to be concerned in any business requiring the regular transportation of heavy burthens, [on land] because if I am connected in the affairs of a mill it shall be driven by steam, and placed on some navigable water, to save land carriage—yet I certainly intend as soon as I can make it convenient, to build a steam carriage that will run on good turnpike roads, on my own account, if no other person will engage in it; and I do verily believe that the time will come when carriages propelled by steam will be in *general use*, as well for the transportation of passengers as goods, travelling at the rate of fifteen miles an hour, or 300 miles per day.

It appears necessary to give the reader some idea of the principles of the steam engine which is to produce such novel and strange effects; and this I will endeavor to do in as few words as I can, by shewing the extent to which the principles are applied already.

To make steam as irresistible, or powerful as gunpowder, we have only to confine and increase the heat by fuel to the boiler. A steam engine with a working cylinder only nine inches in diameter, and a stroke of the piston three feet, will exert a power sufficient to lift from 3,000 to 10,000 pounds perpendicularly, two and a half miles per hour. This power applied to propel a carriage on level roads and railways, would drive a very great weight with much velocity, before the friction of the axle tree or resistance of the atmosphere would balance it.

This is not speculative theory. The principles are now in practice, driving a saw mill at *Manchacks* on the Mississippi; two at *Natchez*, one of which is capable of sawing 5,000 feet of boards in 12 hours; a mill at *Pittsburgh*, able to grind 20 bushels of grain per hour; one at *Marrietta* of equal powers; one at *Lexington*, (Ky.) of the same powers; one, a paper mill of the same; one of one-fourth the power at *Pittsburgh;* one at the same place of 3½ times the power, for the forge, and for rolling and splitting sheet iron; one of the power of 24 horses at *Middletown*, (Con.) driving the machinery of a cloth manufactory; two at *Philadelphia* of the power of five or six horses, and many making for different purposes; the principles applying all purposes where power is wanted.

OLIVER EVANS.

Ellicott's mills on the Patapsco, Nov. 13, 1812.

As the question of the origin of rail roads and steam wagons in this country seems to have created an interest among some of our cotemporaries, we subjoin for their use the following extract from a work published in this city twenty-two years ago, by Oliver Evans—than whom few or none have contributed so largely to produce our present advanced state of improvement in the means of travelling and the mechanic arts.

It appears Mr. Evans conceived or entertained the idea of steam wagons and rail roads anterior to the year 1773; for shortly after this period we find him applying to the legislatures of Pennsylvania and Maryland for aid to carry into effect his views on these subjects. The first rejected his memorial, or paid no attention to it—deeming its author INSANE! The last granted him a patent for fourteen years; but from the want of public confidence in the practicability of his schemes, and his own want of means, this patent was of no use to him. He lived and died comparatively poor and neglected; and was compelled to leave all his vast conceptions and designs to be executed by smaller minds and later days, as almost all the benefactors of our race have had to do before him. [*Phila. Penn.*

The time will come when people will travel in stages moved by steam engines, from one city to another, almost as fast as birds fly, fifteen or twenty miles an hour.

Passing through the air with such velocity, changing the scene in such rapid succession, will be the most exhilarating, delightful exercise.

A carriage will set out from Washington in the morning, the passengers will breakfast at Baltimore, dine at Philadelphia, and sup at New York, the same day.

To accomplish this, two sets of railways will be laid, so nearly level as not in any place to deviate more than two degrees from a horizontal line, made of wood or iron or smooth paths of broken stone or gravel, with a rail to guide the carriages, so that they may pass each other in different directions, and travel by night as well as by day; and the passengers will sleep in these stages as comfortably as they now do in steam stage boats.

* * * * * * *

A steam engine that will consume from a quarter to a half a cord of wood, will drive a carriage one hundred and eighty miles in twelve hours, with twenty or thirty passengers, and will not consume six gallons of water. The carriages will not be overloaded with fuel or water.

These engines will drive boats ten or twelve miles per hour, and there will be many hundred steamboats running on the Mississippi, and other western waters, as prophecied thirty years ago, by one who could predict them better than the poet can now. But the velocity of boats through the water, can never be made to equal the velocity of carriages through air, because the resistance of water is eight hundred times the resistance of air.

And it shall come to pass, that the memory of those sordid and wicked wretches who oppose such improve-

ments, will be execrated by every good man as they ought to be now.

Posterity will not be able to discover why the legislature, or congress, did not grant the inventor such protection as might have enabled him to put in operation these great improvements sooner, he having asked neither money nor a monopoly of any existing thing.

The clouds of darkness will be dissipated by time. It will be clearly discovered, that to protect inventors for sufficient terms, is the only way to get the use of their discoveries soon.

* * * * * *

If my proposition, published in this city on the 8th of October last, has excited the attention of any to the great object of establishing a line between Philadelphia and New York for the transportation of heavy produce, merchandise and passengers, on carriages to be drawn by steam engines on railway or smooth roads, it may be proper to submit for their consideration different plans. Mr. John Ellicott, (of John), has suggested that paths be made for the wheels of carriages to run on, of hard substances, such as turnpike roads are made of, with a rail between them set on posts, to guide the tongue of the carriage, so that they might travel by night as well as day. Others have proposed lines of logs, flatted at the top, with a 3 inch plank pinned on them, to bear the carriage and guide the wheels; these strips of planks to be renewed as often as necessary, and while the logs would last, and be sufficient to hold the pins, the expense of repairs would be trifling.

Mr. Samuel Morey, of New Hampshire, proposes that the two railways be laid as near each other as they will admit to let the carriages pass in opposite directions, and to cover the whole with a slight shed to protect the carriages, the ways, goods and passengers, from injury of the weather.

It is well worthy of consideration, whether either of these plans will not be attended with much less expense than turnpike roads or canals, including the expense of making and keeping them in repair, and considering that the ways would not be so subject to be interrupted by frost.

But when we compare the great expense of repairing turnpike roads, which are travelled with narrow wheeled carriages, with heavy burdens, added to the expense of the great wear of the carriages, horses and harness to that of wooden railways, and the carriages running on them, the result will be greatly in favor of the latter; and the difference will more than make and support a covered way, even should it require to be renewed every ten years.

* * * * * *

I renew my proposition, viz: as soon as either of these plans shall be adopted, after having made the necessary experiments to prove the principles, and having obtained the necessary legislative protection and patronage, I am willing to take of the stock, five hundred dollars a mile, to the distance of 50 or 60 miles, payable in steam carriages or steam engines, invented by me for the purpose forty years ago, and will warrant them to answer the purpose, to the satisfaction of the stockholders, and even to make steam stages, to run twelve or fifteen miles per hour, to take back the engines at my own expense if required.

OLIVER EVANS.

From the New York Mercantile & Advocate.

The Car of Neptune, commanded by Arthur H. Roorbach, commenced running in 1810, and probably was on the river in 1815, but the price of passage never exceeded $7, and the state tax of one dollar. While on the subject of North river steamboats, we have obtained from capt. Wiswall the following facts. The North river was the first boat built, in 1807, by Fulton, and commanded by capt. W. She made her passages on an average in about 33 hours; the power of her engine, made by Bolton & Watt, was estimated at 18 horses. The boat was originally 100 feet long, and in 1808 was enlarged and increased in length about 12 feet, in breath 4. She had originally 12 berths, the number of which was increased to 52. Fare $7 and found. She consumed about eight or ten cords of wood. The Car of Neptune was the second boat built, in 1808. The Paragon in 1811; the Richmond in 1812; the Chancellor in 1816; the Kent in 1824. The engines now employed in some steamboats, on the North river, are estimated to be from three to four hundred and fifty horse power each.

LEGISLATURE OF OHIO.

GOVERNOR'S MESSAGE.

Gentlemen of the senate and of the house of representatives:

Subsequent to the adjournment of your late session, occurrences have arisen, of such an extraordinary character, as to impress upon me the indispensable duty of convening you, under the provisions of the 9th section of the second article of the constitution of the state of Ohio. That section declares that the governor "may, on extraordinary occasions, convene the general assembly, by proclamation, and shall state to them when assembled, the purposes for which they shall have been convened." And being assembled, in obedience to a proclamation issued under the provisions of said section, I now, in discharge of the duty required of me, proceed to state to you the purpose for which you have been convened.

It was briefly to lay before you for your consideration, the whole subject matter, growing out of the controversy relative to our northern boundary line, and extention of jurisdiction to our constitutional boundaries, as prescribed in an act of last session in defining the same.

The legislature, on the 23d of February last, with but one dissenting vote, passed resolutions, in which it was declared, as the opinion of the general assembly, that the territory contained within the constitutional limits of Ohio, formed an integral part of the state, of which no power on earth had a right to dispossess her—That measures ought to be taken, immediately, by the legislative, executive and judicial authorities of Ohio, to cause her jurisdiction to be established throughout every part of her territory, as described in her constitution; and obtain for her laws and public officers that respect and obedience from all persons residing or coming within her boundaries, to which they are properly entitled—that the state had an indisputable right to run out, and designate her northern boundary, in accordance with the provisions of her constitution; and that, without allowing her public works to be longer suspended, or the interest of her citizens to be further jeopardized by the refusal of congress to unite with her in the work—and that commissioners should be appointed for that purpose, with instructions to run and re-mark the same from the place where a line from the most southerly extreme of Lake Michigan, to the most northerly cape of Maumee bay crosses her western boundary to the said cape, so that its exact location may be known and recognized by all persons within the state, as well as by those without its limits.

They, on the same day, passed, by the same vote, "An act defining the boundaries of certain counties within the state, or for other purposes;" in which the boundaries of the counties of Wood, Henry and Williams were extended to the line described in the constitution—two new townships were created in the county of Wood, and elections for justices of the peace and other officers were authorised under the laws of Ohio. This act made it the duty of all officers within the state, civil and military, judicial and ministerial, who were authorised to exercise jurisdiction within these counties, to extend their jurisdiction respectively, to the line described in said act. The same act made it the duty of the governor to appoint three commissioners, whose duty it should be to re-mark that part of the said line lying west of Lake Erie, and commonly known as "Harris' line,"—that it should be the duty of the commissioners, when appointed by the governor, to proceed, at as early a day as practicable, after their appointment, to the discharge of their duties; and the commissioners should in due time, report to the governor, stating the manner in which their duties had been performed.

The act and resolutions were deposited in the office of the secretary of state, on the day they were passed; and, on the same day, Jonathan Taylor, of Licking county, Uri Seely, of Geauga county, and John Patterson, of Adams county, were appointed and commissioned, by the governor, to re-mark the line, as required by said act, who, after consulting with the executive, appointed to meet at Perrysburg, in Wood county, on the first day of April, in order to proceed to the discharge of those duties required of them. On the same day that said act and resolutions were passed, I transmitted copies thereof to our senators and representatives in congress, and on the 26th of February, addressed a circular to the clerks of the court of common pleas of each of the counties of Wood, Henry and Williams, enclosing copies of said act and resolutions to them, with a request that they would deliver a copy to each of the several county officers, within their respective counties, therein informing said officers that it was the expectation of the legislature, as well as of the executive, that they would be prompt and vigilant in carrying into effect the intention of the general assembly, as expressed in said act and resolutions. I also directed the adjutant general to enclose a number of copies of the act and resolutions to major general John Bell, of the 17th division, within whose command the counties of Wood, Henry and Williams are situate, with directions to extend his command to the northern boundaries of those counties, as defined in said act; and to cause all persons, residing therein, that were subject to military duty, under the laws of Ohio, to be enrolled and organized under the laws of this state. All this he promptly effected, and two militia companies were enrolled in Wood county:

they met and elected their officers; which have been duly commissioned under our laws, and are now in command. That portion of the disputed territory, that was attached to the counties of Henry and Williams, is now united to the organized militia districts in those counties respectively.

Considering that the most effectual method of executing the act of the 23d of February, would be to complete the civil organization of that part of the state claimed by Michigan, I determined on attending, in person, in that region of the state at the time the elections were being held: and to take commissions with me to deliver to the various officers that might be elected under our laws; and to meet the commissioners at Perrysburg, on the day appointed to commence marking the line; but, on the 20th March, I received a letter from Mr. Forsyth, secretary of state of the United States, dated the 14th, in which I was told that the president had been informed, by the acting governor of Michigan territory, that a collision was likely to take place between that territory and Ohio, relative to the extension of our jurisdiction. To that letter I replied at length, on the same day I received it; in which I informed the secretary of state, that no collision had been anticipated on the part of Ohio, and in no case would it occur, unless resistance were made to our civil authority. I transmitted to him a copy of the act and resolutions of last session, at the same time informing him what course Ohio expected to pursue.

On the 22d, I received a second letter from Mr. Forsyth, under date of the 17th, in which he informed me the president learned with deep regret that the military had been called out on the part of Ohio, as also on that of Michigan, to support our respective claims to jurisdiction, &c. &c. This letter I answered on the 23d, giving him to understand that no preparation for force was being made by Ohio, and that our civil authority was considered sufficient to carry into effect the laws of Ohio: I also informed him when the commissioners, nominated to run the line, had appointed to meet at Perrysburg—my intention of joining them there; and that the object of my visit to that region of country was to allay, as much as possible, the excited feelings that had been produced by the proclamation of the acting governor of Michigan, and by the violent measures of gen. Brown.

On the 26th, I received a third letter from Mr. Forsyth, by judge Doty, of Detroit, informing me that the president had determined on appointing commissioners, to confer with me and the acting governor of Michigan, on the subject of the unhappy difficulty, as he called it, that was existing between Ohio and that territory. To this I replied at some length on the 27th, endeavoring to convince him of the very erroneous impressions under which they labored at Washington, respecting the acts and doings of Ohio; and informing him of my determination to start for Perrysburg next day.

In accordance with this resolution, I repaired, in company with cols. Swayne and Andrews and gen. Niswanger, of Perrysburg, where we arrived on the 2d of April. The next day I received a note from Richard Rush, esq. and col. Howard, commissioners on the part of the United States, stating that they wished an interview with me. I replied, that I would meet them, either at Toledo or Perrysburg, as might be most agreeable to them. On the evening of the 6th of April they arrived at Perrysburg, and on the 7th we had an interview on the subject of the conflicting jurisdiction between Ohio and Michigan, and, after mutual explanation, an arrangement was agreed to, which appeared satisfactory on both sides, under which impression we parted: they to Monroe, I to Maumee, on my way to Defiance, in Williams county.

The commissioners of the United States handed to me a document during our conference, as they said, at the request of Mr. Forsyth, which I found to be the opinion of the attorney general. This opinion, I was fully satisfied on examination, would, in its tendency, countract the laudable exertions of the president and his commissioners, which the sequel proved; for it was proclaimed by the authorities of Michigan, as a justification of their acts; and it is a subject worthy of remark, that all the proceedings at Washington were entirely *ex parte;* that the three letters from the secretary of state were written; the opinion of the attorney general drawn up; and the commissioners appointed and had left Washington, before my answer to the secretary's first letter could have been received, or any thing correctly known with regard to the intentions or movements of Ohio. The letters of Mr. Forsyth, and the opinion of the attorney general, were evidently dictated under feelings highly excited and unfavorable to Ohio, as is manifest from their contents.

The people within the townships of Sylvania and Port Lawrence, had met and held their elections, as authorised by the act of the 23d of February, 1835, and the returns of the elections had been made to the clerk's office in Wood county. I delivered commissions to six justices of the peace, within said townships, and also appointed and commissioned one notary public, in Toledo. I understand a deputy sheriff, qualified according to law, with a competent number of township officers and school examiners, were duly elected and appointed within these townships.

After delivering commissions to the officers in Wood county, I hastened to Defiance, in Williams county, and while at that place I received intelligence of the outrages committed at Toledo by a body of armed men, under pretence of serving civil process, issued against our fellow citizens for acting in obedience to the laws of Ohio. While there, I also received an account of the preparation that was being made in Michigan to arrest our commissioners while running the line; with a letter from Messrs. Rush and Howard, in which they enclosed to me a copy of a letter addressed by them to the acting governor of Michigan, making known to him the wish of the president that no force should be used in opposition to that measure; a copy of which letter was transmitted to our commissioners on the line, with a request that they would proceed with the line until met by a force to oppose them, and if such force should appear, that they might withdraw to Maumee until a guard sufficient to protect them should be collected.

I also issued an order for general Bell to detail a guard for their protection. I then attended the court in Williams county, and found the organization of that county completed to the line described in the late act, and the jurisdiction of the court extended accordingly. This is likewise the case in Henry county; and it may be truly said that that part of the state is as completely organized, under the laws of Ohio, as is any other part of the state at this time. But while the authorities of Ohio were thus pursuing a steady peaceable course, in accordance with the understanding expressed at Perrysburg in a conference with Messrs. Rush and Howard, (as will be seen in the statement of cols. Swayne and Andrews), the authorities of Michigan commenced prosecutions against the citizens of Ohio, in opposition to the advice of the U. S. commissioners, as communicated to the acting governor of that territory (as will be seen by reference to the copy of the letter transmitted to me) with a degree of reckless vengeance, scarcely paralleled in the history of civilized nations. A particular account of those violent proceedings will be found in the letters of Mr. Goodsell, major Stickney, col. Fletcher, and also in the report of the commissioners, all of which are included in the document herewith transmitted, and to which I call your particular attention.

It appears to me, the honor and faith of the state is pledged in the most solemn manner, to protect these people in their rights, and to defend them against all outrages. They claim to be citizens of Ohio. The legislature, by a solemn act, has declared them to be such, and has required them to obey the laws of Ohio, which, as good citizens, they have done; and for which they have been persecuted, prosecuted, assaulted, arrested, abducted, and imprisoned. Some of them have been driven from their houses in dread and terror, whilst others are menaced by the authorities of Michigan. Those things have been all done within the constitutional boundaries of the state of Ohio, where our laws have been directed to be enforced. Are we not under as great an obligation to command respect and obedience to our laws adjoining our northern boundary, as in any other part of the state? Are not the inhabitants of Port Lawrence, on the Maumee bay, as much entitled to our protection, as the citizens of Cincinnati, on the Ohio river? I feel convinced they are equally as much. Our commissioners, appointed in obedience to the act of the 23d February, while in discharge of the duty assigned them, were assaulted, while resting on the Sabbath day, by an armed force from Michigan. Some of the hands were fired on, others arrested, and one of them, col. Fletcher, is now incarcerated in Tecumseh, (as will be seen by his letter), and for what? Is it for crime? No, but for faithfully discharging his duty, as a good citizen of Ohio, in obedience to our laws. These outrageous transgressions demand your most serious consideration; and I earnestly recommend, and confidently hope that such measures may be adopted as will afford protection to our citizens; provide for the relief of those who have been arrested, and bound under recognizances; and for the liberation of those who are imprisoned; as also for the indemnity of those who have suffered loss in consequence of their obedience to the laws of Ohio; and, in an especial manner, for the more prompt execution of our laws and the punishment of those who have violated them. You may rest assured, that whatever course you may direct will be promptly pursued by the executive, and that all your laws shall be faithfully executed, as far as his power extends; but for their effectual enforcement, you have to furnish him with the necessary means.

In the documents annexed for your inspection and consideration, will be found all the correspondence of the executive, relative to carrying into effect the act of the 23d of February; which embraces the correspondence with the department of state at Washington; the communications received from Messrs. Rush and Howard, United States commissioners; the opinion of the attorney general of the United States; the correspondence with the surveyor general of the United States, together with sundry documents relative to running the northern boundary of Ohio; the field notes of the survey of the line run by Mr. Harris under the direction of the surveyor general of the United States; a letter from governor Cass, objecting to Harris' line, with the surveyor general's reply, contending that that line was run in accordance with the act of congress, and was the true northern boundary of Ohio; together with sundry other letters relative to the subject of our boundary, and the extension of our jurisdiction, all worthy of a minute investigation.

The subject of our northern boundary has excited considerable attention throughout the nation, and as far as can be learned from the tone of the papers, great exertions are making to raise feelings unfavorable to Ohio, forestalling public opinion to her prejudice, without reference to the merits of our claim, and all principally upon the grounds that Ohio is a great and power-

ful state, Michigan a weak and small territory, (while in fact Michigan has a greater extent of territory than Ohio). This appears to be the substance of every argument, from the beginning to the end of this controversy. We find it in the first letter of governor Cass to the surveyor general, so early as 1817, which letter was the beginning of the controversy; we also find it in the arguments of the ex-president in the last congress, as well as in all the intermediate arguments. But what is the true state of the case? Ohio has oppressed nobody—she claims no territory more than what is defined in her constitution; while, on the other hand, we find the territory of Michigan (who can have no legitimate claim to sovereignty, as her government, at any time, may be dissolved by congress, and the territory, north of Ohio, attached to this state), exerting all the power of her temporary or territorial government, to oppress the small village of Toledo, punishing its inhabitants, not for crime, but for claiming their constitutional rights. In this transaction we see the great and powerful city of Detroit, aided by the authorities of the territory, united to oppress and weaken the small village of Toledo, on the Maumee Bay. But the true parties in the controversy are the United States and the state of Ohio; and let me ask which is the weaker party in this controversy? Surely it will not be contended that the great and gigantic state of Ohio, (as she has been tauntingly called), is about to weaken the United States, by claiming her constitutional rights; or that, by enforcing these, her just claims, she would be making the weak weaker, and the strong still more powerful, according to the arguments of our opponents. Arguments of this character may suit those who wish to avoid the truth, to shun the light, and carry their point right or wrong, by their diplomatic management; but in my view these arguments are too contracted to meet the approbation of liberal minded statesmen. Is not Ohio a member of the union? Does she not form a component part of the United States? Will not any measure calculated to promote the prosperity of Ohio, also promote the prosperity of the United States? Why, then, should jealousy be excited against Ohio? Why the extreme exertions of many editors of newspapers, and other individuals in some of the states, to forestal public opinion, and make impressions unfavorable to Ohio, without examining the justness of our cause? Is this course liberal? is it just? We think not.

With a desire to ascertain all the facts connected with the controversy, relative to our northern boundary, I have devoted what time I could spare, from other duties, to a minute examination of the subject. In doing this, I collected extracts from all the original charters, by which the territory north west of the river Ohio was originally claimed; also, from the several deeds of cession, resolutions of congress, ordinances and acts, relative to the territory north west of the river Ohio, the organization of temporary or territorial government, and the formation of states therein; all which extracts will be submitted to your consideration, as an appendix to this communication. These extracts will present to you a full view of the subject, and must have a tendency to confirm all who examine them dispassionately, in the opinion that the claim of Ohio is just and incontrovertible. By them it will be seen, that the territory, now claimed by Michigan, was originally included in the grant to Connecticut; and that that state did not cede her right of jurisdiction to the United States, over that portion of territory bordering on the lake, and known as the "Western Reserve," till the year 1800, many years after the ordinance of 1787 was passed; which Mr. Adams declared, in his famous speech in the last congress, "to be as unalterable as the laws of nature;" yet the line contended for by Michigan, agreeably to said ordinance, would run east through that district of country, to which congress had no claim, either of soil or jurisdiction, at the time this ordinance was passed. The more I examine the subject, the more convinced I am that our claim is just and incontrovertible; that it is a settled question, and that we are under as solemn an obligation to maintain our jurisdiction over the township of Port Lawrence, on the Maumee bay, as we are to maintain it over any township on the Ohio river.

Gentlemen—the whole subject is now before you for consideration. The question necessarily arises, what shall be done? Shall we abandon our just claim, relinquish our indisputable rights, and proclaim to the world, that the act and resolutions of the last session of the general assembly were mere empty things? Or, rather, shall we not (as was declared in said resolutions to be our duty), prepare to carry their provisions into effect? The latter, I doubt not, will be your resolution; and I trust that, by your acts, you will manifest to the world that Ohio knows her constitutional rights; that she has independence enough to assert them; and that she can neither be seduced by flattery, baffled by diplomatic management, nor driven by menaces from the support of those rights. And, gentlemen, you may rest assured, that whatever measures, in your wisdom, you may direct, will be faithfully pursued by the executive, to the full extent of his constitutional power, and the means that may be placed under his command.

Since preparing the foregoing, I received a communication from one John Biddle, dated Detroit, June 1, 1835, in which he states that he had been instructed by the convention, in session at that place, to forward to me enclosed documents. Those documents I transmit to you without comment; (marked C.) You will doubtless give to them that consideration to which you may deem them entitled. Very respectfully yours, &c. &c. &c.

ROBERT LUCAS.

Columbus, Ohio, June 8, 1835.

A BILL

Accepting certain propositions made by the commissioners of the United States relative to the northern boundary of this state.

Whereas, the legislature of Ohio, at the last session, passed an act providing for the extension of her jurisdiction over that part of her territory claimed to belong to the territory of Michigan. And whereas, the civil and military elections under the laws of Ohio have taken place throughout the disputed territory, and the organization under the same is now in all respects complete. And whereas, this legislature considers the right of the state to the disputed territory as clear and perfect, as her right to any other part of her territory lying within her admitted limits. And whereas, great and lawless outrages have been perpetrated by the authorities of Michigan upon citizens of the disputed territory, for the crime of recognizing the laws and rightful jurisdiction of the state within whose limits they reside. And whereas, this legislature feels bound to protect said citizens from a repetition of such outrages, and will do so at whatever hazard. Yet, as the United States (the only party to this controversy besides Ohio), acting through the honorable Richard Rush and Benjamin C. Howard, commissioners, duly appointed by the president of the United States, and his excellency, the governor of this state, entered into an arrangement on the 7th day of May last, having for its object the temporary adjustment of the difficulties appertaining to the possession of and jurisdiction over the said disputed territory, the terms and provisions of which arrangement were as follows, viz: 1. That Harris' line should be run and re-marked, pursuant to the act of the last session of the legislature of Ohio, without interruption. 2. The civil elections under the laws of Ohio having taken place throughout the disputed territory, that the people residing upon it should be left to their own government, obeying the one jurisdiction or the other, as they may prefer, without molestation from the authorities of Ohio or Michigan, until after the close of the next session of congress. And whereas, this legislature considers the faith both of the United States and of the state of Ohio pledged by this arrangement, and is also willing, from a desire to preserve the public peace and harmony, to observe the stipulations of the arrangement aforesaid: *Provided*, its observance on the part of Michigan be compelled by the United States, and the proceedings of Michigan in violation of that agreement be immediately discontinued and annulled. Therefore,

Sec. 1. *Be it enacted by the general assembly of the state of Ohio*, That his excellency, the governor, be, and he is hereby requested to observe and comply with the terms of arrangement entered into on the 7th day of May last, by and between the United States, acting through the honorable Richard Rush and Benjamin C. Howard, commissioners, duly appointed by the president of the U. States and his excellency, the governor of this state; and the action and operation of all laws and parts of laws of this state inconsistent with the terms of said arrangement, is hereby suspended until after the close of the next session of congress: *Provided*, all the terms and stipulations of said arrangement shall be faithfully observed on the part of the United States; and all bonds and recognizances taken, and all prosecutions and indictments commenced under the act of the legislative council of Michigan of the 12th of February, A. D. 1835, shall be immediately discharged, annulled and discontinued.

Sec. 2. That if the United States, or the authorities of Michigan acting under the United States, shall, within the time specified in said arrangement, do any act inconsistent with the terms thereof; or if said bonds, recognizances, indictments and prosecutions, shall not be immediately discharged, discontinued and annulled, as aforesaid, then this act to be null and void.

Sec. 3. That the governor of this state be, and he is hereby authorised and required to issue his proclamation, whenever, in his opinion, the terms and stipulations of said arrangement have been violated, declaring such to be the fact; and from and after the date of such proclamation, the suspension of all laws and parts of laws aforesaid, shall cease and determine.

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We have also a copy of the report of a joint select committee which enters fully into the merits of the case, at much length—which, towards its close, says—

"Ohio has arrived at that point, in the opinion of your committee, when nothing remains for her to do, but to give the warning voice of her people, that the law of last winter MUST AND WILL BE SUSTAINED."

The report concludes with the following resolutions:

Resolved by the general assembly of the state of Ohio, That the northern boundary of this state, is by a direct line running from the southern extremity of Lake Michigan, to the most northerly cape of the Miami bay; thence, north east, to the territorial line; and by the said territorial line, to the Pennsylvania line; and that it is due to the people of this state, and of the United States, to assert her right to the boundary aforesaid; and that she will maintain the same, by any and every means which may be lawfully used by a free and independent state of this union.

Resolved by the general assembly of the state of Ohio, That the governor be, and he is hereby, authorised to request the president of the United States, to appoint a commissioner or commissioners, whose duty it shall be, to meet with the commissioners appointed on the part of this state, in accordance

with the provisions of the 8th section of an act entitled "An act defining the northern boundary of certain counties within this state, and for other purposes," passed February 23, A. D. 1835, and join in examining and re-marking the line west of Lake Erie, between the state of Ohio and the territory of Michigan, commonly known as "*Harris' line*," as provided in said section of the act aforesaid.

And resolved further, That if the president of the United States should decline or omit complying with the request of the governor of this state, then, and in that case, the governor is hereby authorised and required to cause said examination and re-marking the line, aforesaid, to be completed at as early a day as practicable, by the commissioners appointed by him, in pursuance of the provisions of the aforesaid act.

"[The first resolution was agreed to by the house—yeas 69, nays 1—Mr. Ross voting in the negative. The second, 68 yeas and 2 nays—Messrs. Moore, of Delaware, and Robinson. The third, 50 yeas and 20 nays. The nays were as follows:

Messrs. Baldwin, Bureau, Burnsides, Clark, Cushing, Dille, Fergus, Goode, Grubb, Hatch, Kirby, McLaughlin, Moore, of Delaware, Moore, of Jefferson, Paine, Ross, Sayler, Short, Stivers and Witt—20.]

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SPECIAL MESSAGE.

Communicated by the governor to both houses on Thursday, the 18th instant.

To the honorable, the general assembly:

I have received a letter from the department of state, of the 11th inst. signed by Asbury Dickens, acting secretary, which purports to be in answer to my letter to the secretary of state of the 1st inst. This letter, he says, was written by the instructions of the president. If such is truly the case, and the letter is to be considered as the act of the president, it seems to evince a degree of feeling adverse to conciliation. There appears to be a great contrast between the views contained in this letter, and in those contained in some of the former letters of the secretary of state, as well as those expressed by Messrs. Rush and Howard, from which it appears manifest that the president has either been misinformed with regard to the proceedings and claims of Ohio, or that the sentiments imputed to him in the former letters of the secretary of state, as also those by Messrs. Rush and Howard, were incorrect. It will be perceived that this letter insinuates that my letter of the 1st inst. contained erroneous views of the opinions of the president, and those associated with him in the government, and that the spirit in which it was written had given great concern, &c. &c. My letter referred to, as well as the one in reply to which it was written, are in the documents communicated to you. I considered my letter of the 1st inst. to have been written in a spirit of candor, such as was called for by the occasion, and with a view to correct erroneous impressions that evidently existed in the cabinet, at Washington, with regard to the acts, movements and intentions of Ohio. That the president and his cabinet at Washington, acted without a correct knowledge of the facts, as to the claims, proceedings and intentions of Ohio, is evident by their own acts; for, by a reference to them, we find that the opinions expressed in the letter of the secretary of state, were founded upon information derived from a source adverse to Ohio; and which differed widely from the facts in the case.

In my answer to the third letter of the secretary of state, after giving him to understand the views of the general assembly, with regard to our northern boundary line, and the appointment of commissioners to run and re-mark it, &c. I asked the question distinctly, "Whether there were any thing wrong in these acts of Ohio?" And whether the right of Ohio to trace and re-mark her northern boundary, as run and designated by a United States officer, was disputed, &c. In answer to this letter, the secretary of state, after acknowledging its receipt, informed me that the president did not profess to interfere, authoritatively, with the performance of any duty imposed upon me by the state of Ohio. And in a conversation with Messrs. Rush and Howard, I was informed that no objection would be made to running and re-marking the line; and in their letter to the acting governor of Michigan, of the 14th of April, they informed him that it was the desire of the president that no force should be opposed to that measure; yet, in the face of this instruction, force was opposed by the authorities of Michigan.

In reply to that part of my letter of the 1st instant, wherein I stated that the design of marking the line was not abandoned; and that when our commissioners again would meet on the line, they would be protected against force, &c. the acting secretary of state informs us, that the president would see, with great pain, any attempt to renew the running of the line in the manner alluded to in my letter, as tending, inevitably, to produce a crisis, in which it would be his duty to interpose. This is very different from the views previously expressed on that subject; and must excite some degree of astonishment at such a change.

A copy of the letter from the acting secretary of state, of the 11th inst. I herewith transmit for your consideration. It may aid you in determining the course most proper to be pursued; and must convince you of the necessity of prompt measures to sustain the honor and constitutional rights of the state against all encroachments, from any quarter, or under any authority, or pretence of authority, whatsoever. All which is respectfully submitted by your obedient servant, ROBERT LUCAS.

Columbus, June 18th, 1835.

Department of state, June 11, 1835.

SIR: I have had the honor to receive your excellency's letter of the first instant, and have laid it before the president. He has instructed me to inform you, that, although the spirit in which it is written, and the erroneous views it presents, as well of his own sentiments, as of those who are associated with him in the government, have given him great concern; he cannot, without departing from the course he prescribed for himself, authorise a discussion of various matters contained in that communication; which could not, otherwise, be passed over in silence. He is content to learn, however, that the correspondence which has been carried on by this department, with you, under his direction, is to be submitted to the legislature of Ohio; and he trusts that his motives and conduct will receive from that enlightened body the just and liberal consideration which his knowledge of your excellency's character led him to expect (and which he hopes yet to receive) from you.

The citizens of Ohio are also citizens of the United States, and, the president doubts not, will be found to cherish the feelings and respect the obligations which belong to that character. He looks, therefore, with confidence, to the wise and patriotic councils of the state, for such measures as will not bring the laws of Ohio in conflict with those of the union. He trusts, too, that upon a calm review of your own duties, your excellency, not less faithful to the union than to the state, may be able to aid in adopting that course, which, while it will most effectually prevent such a collision, will be consistent with the rights and dignity of all parties.

The president, nevertheless, looks with deep solicitude to the result. It would, therefore, be with great pain, that he would see any attempt to renew the running of the line in the manner alluded to by your excellency, as tending, inevitably, to produce a crisis, in which it would be his duty to interpose, for sustaining the supremacy of the constitution and laws of the United States, by such means as they have placed in his hands for that purpose. I have the honor to be, with high consideration, your excellency's obedient servant, ASBURY DICKENS,

Acting secretary.

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The *Columbus Journal* of the 20th says—

General assembly. All the important business of the present extra session was brought to a close on last evening; and both branches of the legislature will adjourn to-day at an early hour. The leading measures enacted relative to the northern boundary may be summed up as follows, viz: An act "accepting certain propositions, made by the commissioners appointed by the president of the United States, relative to the northern boundary." An act making an appropriation of $300,000 to carry the laws relative to the boundary into effect—to be disbursed by the governor; and an account rendered to the next general assembly; an act to erect the new county of Lucas;* an act to prevent the forcible abduction of citizens of Ohio—inflicting a punishment, on conviction, of imprisonment in the penitentiary for a term not less than three, nor more than seven years; and a joint resolution relative to the imprisonment of Jonathan E. Fletcher, in the Michigan territory.

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The "*alternative*" or "*compromise*" *bill*, (or by what other name it may be called), accepting of the propositions made by Messrs. Rush and Howard, on certain conditions, will be found in our columns. In this our readers will have the whole gist of the late action of the legislature on the boundary question. On this, coupled as it is with an appropriation of $300,000 placed under the control of the governor, and to be used as exigencies may require, hangs the result of the controversy. The olive branch of peace is held out, on the one hand, while on the other, if spurned, Ohio is prepared with but one feeling to step forward in the maintenance of her rights. Our own feelings would have gone in favor of more energetic action, but inasmuch as the measures adopted, have met the sanction of both branches of the assembly with much unanimity, it is our ardent wish that they may also meet, (as no doubt they will), the approval of the citizens of the state.

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The governor does not seem to bear the reproof of the president, as contained in Mr. Dickens' letter, meekly. He appears disposed, to use a western phrase, to "kick up." The "Columbus Journal," speaking of the "special message" says—

"After some discussion on the subject of the letter and the implied menaces which it contained, it was referred, together with the governor's message communicating it, to the select joint committee on the boundary question. The committee, giving but little importance to the subject, simply reported that no new legislative action was deemed necessary. This we conceive was treating the matter as it should be. The letter itself we view as insidious in its design to create a difference between the executive of Ohio and the general assembly, and covertly insulting to the governor. The design however, so far as regards the legislature, failed in its effect. But the different lights, in which the president's views relative to the subject of controversy, are placed, is chiefly to be noted. A member of the house, (one of the editors of the *Hemisphere*), in endeavoring to shew that in the inferences to be drawn from the letter of the acting secretary of state there must be some mistake,

*This county is within the limits of the disputed territory.

stated in his place on the floor, 'that there certainly was some misunderstanding on the subject—that in a conversation with himself within the last six weeks, the president expressed sentiments directly and positively the reverse to those that the governor adduced from the letter before the house.' Made on such an occasion, we doubt not in the least the veracity of the member's statement. But as it was intended to prove that gov. Lucas was mistaken in his comments upon the letter, the plain and obvious language of the letter itself will show the reverse. Then what is the inference to be drawn from both sides? Is it, that when a good feeling with Ohio would be preserved, that the president, in conversation with her citizens, represents himself as on her side; when Michigan on the other hand is to be operated upon, in anticipation of her strengthening his friends in the United States senate, on her looked-for admission into the union, he is then on her side?

"But this is not the only instance of the two-sided views of the president on the subject, as circumstances may suit. In the documents accompanying the governor's message of the 8th instant, will be found two letters written from Washington, and both of the same date, (March 12th);—one from Mr. Forsyth, secretary of state, the other from Mr. Lytle, of Cincinnati, late member of congress. In the secretary's letter, written, as is stated, at the instance of the president, the secretary says—'in any event the formation of a *state* government in Michigan, will *soon* afford an opportunity for obtaining a judicial decision.' On the other hand it is stated in Mr. Lytle's letter that in an interview with the president, he (the president) 'declared his fixed determination to apply his *veto* to any bill which should make it (Michigan territory) a *state*, before the settlement of the boundary difficulty.' These contradictory views we leave for others to explain, as best they can.

"We hold, however, that it is a matter of indifference what any president's individual opinions may be, where an independent state of the union is engaged in asserting her just rights. Ohio is a sovereign and independent state, and having made up her mind, with due deliberation, and on a firm conviction that her cause is just, she will not be turned from her purpose, nor baffled in her course."

EXECUTIVE PATRONAGE.

In senate of the United States—February 13.

The bill to repeal the four years' law being under consideration, and Mr. *Benton* having concluded his speech—

Mr. *Southard* said that the proposition then before the senate had relation entirely to the bill which had been proposed by the select committee as one of the means by which executive power was to be restrained. When he said this, his object was to draw the attention of the senate to the subject under consideration, not to meet any statements with regard to financial matters. The simple proposition was, was it proper that the bill should pass? The first section of the bill supplied two sections of the bill passed in 1820, and the second section provided that congress shall be aware who are public defaulters, declaring that the commissions of such shall expire. The last provision required that the president should assign to the senate his reasons when he removes a public officer from office. He approved of the first provision of the bill, because he believed that the act of May 1820, placed too much power in the hands of the president, and had accomplished none of the intentions for which it was framed. The act required that certain officers should be appointed for the term of four years, and the intention was to bring those officers (who were disbursing officers) before the executive at the end of every four years, in order that if their official conduct had not been correct, he might, by failing to renominate, get rid of them without the formality of a removal. The object certainly was a good one, but it had tended to increase the power of the executive to an extent not anticipated at the time of the passage of the law. The law went into operation immediately preceding the presidential election, and every four years afterwards the officers appointed under it were to go out of office if not reappointed. Now, could any man not see that all these officers would feel themselves dependent on the executive, who had the power to leave them out or renominate them. The law as it stood placed every man who was not above being bribed by office in the market, feeling and acting on the principle that he was to support the man who would keep him in office. Pass the bill before the senate, and the result will be far different. Each officeholder would be independent, and would look solely to a faithful discharge of his duty for his continuance in office. As the law now stood, it was made to operate on the whole band of officers of the government, as well on the other officers as on the disbursing agents for whom it was originally intended. Each one not influenced by pure motives would say to the executive, "Will you retain me in office if I support you?" This effect of that law which it was now proposed to repeal must be apparent to every senator, and he thought, if they would follow it up, it would produce on their minds a deep conviction that the statute book ought to be relieved from it. It was the intention of those who framed that law to bring the officers of the government before the executive at the end of every four years, in order that they might be dismissed if found unworthy. But it certainly never was intended that an officer who had fairly disbursed the public money, and faithfully discharged the duties of his office, should be turned out in order to make room for a political partisan. It was intended to secure a greater accountability in the disbursing agents, and, by bringing their conduct more frequently in review, to secure to the government the services of the most trustworthy individuals. But had this been the operation of the act? No. The period of four years had been selected as the period when the enemy was to be prostrated, and friends sustained. This mode of executing the act had defeated all the intentions of its framers. It had introduced a different system with regard to the tenure of office, from that contemplated by those who passed the law. He was of opinion that it would be wise in congress to dispense with those provisions which tended to make the whole band of officeholders servile supplants of the executive, destitute of that independence of character, that manly feeling, which should characterize every public officer. Mr. S. here read from the bill the provisions requiring the president to lay before congress the accounts of all district attorneys, marshals, and other disbursing officers, &c.

The object was to exhibit to the senate the appointing power, the number of those who should fail to render their accounts, and to give to those who should be unfortunate time to repair the accident which deprived them of the ability to make a correct settlement of their accounts. If an officer, therefore, should be a defaulter in September, the account being made up to January, would leave him time to correct the evil, if the default should be the effect of unforseen accident, and not of criminal conduct. This part of the bill was so plain that he would not detain the senate longer in commenting on it. The third section of the bill provided "That, in all nominations made by the president to the senate, to fill vacancies occasioned by removal from office, the facts of the removal shall be stated to the senate at the same time that the nomination is made, with a statement of the reasons for such removal."

He valued that provision of the bill very much. He would not, at that time, enter into the subject of removals from office. It had long been a subject of difference with politicians, and had occupied their attention at an early period of the government. But this section did not interfere with this power of removal. It required simply that the president should state to the senate when he removed an officer, that he had removed him, and why. Was there any thing that should make the executive reluctant to communicate such reasons to his constitutional advisers? We are bound to presume, (Mr. S. said), that he has acted under the best considerations. All that was asked of him was to state that he had removed a public officer, and his reasons for so doing, in order that the senate, the coordinate appointing power, (he said co ordinate power, because no appointment could be made, without the concurrence of the senate), might judge of the propriety of appointing another individual to the office thus vacated. The history of this power of removal was not common. In the early periods of our history it was almost unknown. It continued unknown until Mr. Jefferson's time, and had not been exercised at all by one of his predecessors. The senate would understand him as referring to the administration of Mr. Adams. There was not one removal from office during the presidency of that gentleman.

The senator from Missouri, (Mr. *Benton*), had complained that this report, which emanated from the committee, presented a great variety of bills, which were there framed, to limit the executive prerogative, without being calculated to accomplish any other useful purpose. In looking at the report this morning, he did not see any grounds for making this complaint. There was one bill proposing an amendment to the constitution, which did not meet with the gentleman's concurrence. But because he disapproved of one measure of the committee, did it follow that no other was worthy of approbation? He apprehended that the gentleman from Missouri would not reject his own measures, (for he was on the committee, and approved of every bill with the exception of the one just named), because more was not done. Of the other bills proposed by the committee, one was for the regulation of the newspapers in which the laws of the United States and the public advertisements shall be inserted. Did the gentleman see no practical good to result from this bill? Another was to regulate the appointment of postmasters. The provisions in this bill had just been passed by the senate by a unanimous vote, in the bill to reorganize the post office department, and it was not, therefore, necessary to pass such provisions as were contained in this second bill of the committee, after one had passed the senate for that purpose. The next bill was for the regulation of the appointment of cadets and midshipmen. He could not answer for what was the practice of the departments now with regard to such appointments, but he well knew what was the practice some time ago; and it was to carry the provisions of this very bill into effect. In conclusion, he trusted, therefore, that these bills would find favor with those who had heretofore supported similar measures.

Mr. *Calhoun* said that the whole course of the senator from Missouri, on this occasion, was unbecoming a gentleman; and I appeal to the senate to bear witness that, in repelling his charges, I have acted on the defensive. However offensive to him, I retract or explain nothing which I asserted when last up. On the contrary, I reaffirm that part of the report which the senator considers so offensive, and the expression which he has thought proper to consider as casting a personal imputation. Yes, in spite of all he says, the practice of the administration, in dismissing faithful officers on party grounds, and supplying their places with political partisans, has the tendency to produce all the results which I have attributed to it.

and must ultimately convert the whole body of officeholders into corrupt sycophants and supple instruments of power, if persisted in. In making this assertion, which has given him such offence, I have his own authority. In his report, in 1824, he condemned the practice in language as strong, if not stronger, than that which is used in the present report, which he has seized upon to justify his abusive language. To refresh his memory, I will read an extract from that report, which will enable the senator to judge with what propriety he, who *then* held such language, should *now* be so offended that it should be repeated by me.

Here Mr. C. read as follows, from Mr. *Benton's* report of 1824:

"The whole of this great power will centre in the president. The king of England is the 'fountain of honor;' the president of the United States is the source of patronage. He presides over the entire system of federal appointments, jobs and contracts. He has power over the 'support' of the individuals who administer the system. He makes and unmakes them. He chooses from the circle of his friends and supporters, and *may* dismiss them, and upon the principles of human action *will* dismiss them, as often as they disappoint his expectations. His spirit will animate all their actions in all the elections to state and federal offices. There may be exceptions, but the truth of a general rule is proved by the exception. The intended check and control of the senate, without new constitutional or statutory provisions, will cease to operate. Patronage will penetrate this body, subdue its capacity of resistance, chain it to the car of power, and enable the president to rule as easily, and much more securely, with, than without, the nominal check of the senate. If the president was himself the officer of the people, elected by them, and responsible to them, there would be less danger of this concentration of all power in his hands; but it is the business of statesmen to act upon things as they are, and not as they would wish them to be. We must then look forward to the time when the public revenue will be doubled; when the civil and military officers of the federal government will be quadrupled; when its influence over individuals will be multiplied to an indefinite extent; when the nomination of the president can carry *any man* through the senate, and his recommendation can carry any measure through the two houses of congress; when the principle of public action will be open and avowed, *the president wants* MY *vote, and I want* HIS *patronage; I will* VOTE as he wishes, *and he will* GIVE *me the office I wish for.* What will this be but the government of *one* man and what is the government of *one* man but a *monarchy?* Names are nothing. The nature of a thing is in its substance. The first Roman emperor was styled emperor of the *republic*, and the last French emperor took the same title; and their respective countries were just as *monarchical* before as after the assumption of these titles. It cannot be denied or dissembled."

Mr. C. proceeded. This is the language of the senator himself. It is a prophecy. Have we not reached the state that was predicted? And we behold him, who foretold these disasters, now advocating the cause which produced them.

I understood, said Mr. C. when I moved the resolution on the subject of patronage, the nature of the task in which I had engaged, and its consequences to me personally. I was not so ignorant of human nature, nor of the history of former periods, as not to know that he who undertakes to reform long standing abuses, must expect to have his character and motives assailed by those who are profiting by such abuses. I had made up my mind before I commenced the task, to meet this and every other resistance which I might encounter. Nothing shall drive me back.

Mr. C. proceeded, and said, that, in spite of all the zeal which has been displayed to prove that there will be no surplus revenue, I reaffirm there will be a large surplus, provided the expenditure shall not exceed what, on a liberal allowance, it ought to be. Yes, on this supposition there will be an annual average surplus of nine millions for the next seven years, as stated in the report, provided there be no untoward event to prevent it; making in the aggregate upwards of sixty millions of dollars. However disguised, the real question is, to whom shall the surplus go? Shall it be left to the disposition of the administration, to be distributed among its partisans, or shall it be returned to the states by amendment to the constitution, as proposed by the committee? This is the question which has produced the extraordinary excitement which we behold. It is the question which explains the violence and extraordinary course of the senator from Missouri in this debate.

He clearly sees that this fund is necessary to keep up the ascendancy of the party now in power; and hence the efforts which he has made to prevent it from being restored to the states. I, who am opposed to the present state of things, and who see, as I firmly believe, in its continuance, the loss of our liberty, am, for opposite reasons, desirous of returning it to the states. I am not in favor of this measure, because I am in favor of revolution, as the senator has untruly intimated. There is no man more averse to revolution than myself, and it is because I am so, that I feel such solicitude to adopt these peaceful and quiet means of reform which I have proposed, as the only mode of preventing a resort to violence and convulsion.

That our affairs are tending to that result, we daily see too many sad illustrations; and, among them, one which I consider not the least ominous, is the almost total decay of all attachment to principle. Frequent and sudden revolution in opinions, of the longest standing, and thought to be most firmly fixed, we see abandoned, on the command of power.

I consider, said Mr. C. the senator's attempt to devise some scheme to dispose of the surplus revenue, to be as unsuccessful as was his attempt to prove that there would be none. He proposed that it should be expended on the fortifications, and intimates that I have abandoned my former opinion upon that subject. I repel the charge. My opinions are now as they were formerly. I believe that all of the great commercial cities and the great estuaries ought to be defended, and for this purpose I have advocated, and still continue to advocate, a moderate annual appropriation to complete the system; and so far from abandoning my former opinions, I have accordingly, in estimating what the expenditure ought to be, allowed for fortifications the same as was expended in 1823 on that object, with the addition of 20 per cent.

But the senator is not satisfied with this large addition. He is for expending the whole surplus of nine millions on fortifications. Can he be serious? Does he believe that it is practicable, if it were desirable, to draw so large an appropriation for this object? Would the interior agree to it? Would the west assert that this immense surplus should be expended on fortifications? No one is more competent to answer these questions than the senator himself; and yet, although he must know that the whole scheme is utterly impracticable, he gravely rises in his place, and proposes it with a view of defeating the distribution of the surplus. But suppose it were practicable, how would he dispose of the whole of the fortifications if the system were completed with our little army? Or is he prepared to raise the army to thirty or forty thousand men, in order to man these fortifications? Is he ignorant that in planning a complete and entire system for the defence of the coast, they were distributed into three classes; and that the first, with a few in the second, were intended to be commenced in the present state of the country?

The senator, among many other instances of his accuracy and skill, has furnished us with a remarkable illustration of his proficiency in arithmetic. He contends that to have a surplus of nine millions a year, with a standing overplus of two millions in the treasury, the annual surplus must be eleven instead of nine millions, as estimated by the committee; or, in other words, that there must be an overplus of two millions annually, to keep that sum in the treasury at the end of the year. Now what, said Mr. C. is the state of the case? The committee assume that, with an average expenditure of twelve millions, there will be an annual surplus of nine, leaving two millions of the present surplus in the treasury to meet current and contingent expenses; and does not the senator see that those two millions, on this supposition, will be a standing sum from year to year throughout the whole period? and that to add two other millions annually to that sum would increase the overplus, at the rate of two millions per annum, and raise it to fourteen millions at the expiration of seven years? It seems to be the fortune of the senator, when he undertakes to correct what he deems an error, instead of correcting, to fall into the grossest errors on his own part. The senator has thought proper to introduce a correspondence between the register of the treasury and myself; and what a ridiculous parade he has made about a trifling incident scarce deserving notice! The note appended is correct. I did not receive from the treasury the information I asked for—the amount of the United States share of the bank dividend for the last year. I wanted the whole amount, and the register gave me but that which was actually paid in, and what stands to the credit of the treasury, and not that part which the bank has retained on account of its claim against the United States. Presuming, from the note of the register, that he had no official statement of the amount of the last item, I applied to the senator from Massachusetts, (Mr. *Silsbee*), to know the dividend which the bank had declared, and learning from him that it was seven per cent. and ascertaining that, at that rate, the amount of the dividend of the last and preceding years was about the same, I took that of the year 1833, instead of that of the year 1834, and appended the note merely to give notice of the fact, without intending to give the slightest cause of offence to the secretary, or any other officer of the department, all of whom had been prompt in their endeavors to furnish the information desired.

I stated these facts to the senator when he showed me the letter of the secretary to which he has referred, and added that I would cheerfully make the explanation on the first suitable occasion: but the next morning I saw the correspondence in the Globe, and of course, whether inserted by the secretary or the senator himself, self-respect prevented me from giving any explanation in my place; for it had been inserted obviously for party purposes; but seeing the register, and not believing that he had any thing to do with the publication, I stated the facts to him, and ascertained from him what I had supposed, that he had furnished me all that was in his office, and of course that I could not obtain from him the information desired. This is the whole amount of this ridiculous affair.

I must regret, said Mr. C. in conclusion, that the debate has taken the course which it has. The responsibility is not on me—I have acted throughout on the defensive—I have but repelled the unwarrantable assertions of the senator from Missouri, and his groundless imputations. The senate will bear me witness that there is no member of this body more disposed to discuss subjects on their abstract merits, without involving personalities, and that I never deviate from this course but when the remarks of others compel me to do so.

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☞For miscellaneous articles see page 308.

To prevent a break when the volume is bound, the ebate on "executive patronage" is continued in the first age of the present sheet.

EXECUTIVE PATRONAGE.

In the senate of the United States—February 13.

Mr. *Calhoun* said, the question involved in the 3d section of e bill, whether the power to dismiss an officer of the governent can be controled or regulated by congress, or is under the xclusive and unlimited control of the president, is no ordinary uestion, which may be decided either way, without materially ffecting the character and practical operation of the governent. It is on the contrary a great and fundamental question n the decision of which will materially depend the fact, whether this government shall prove to be what those who framed supposed it was—a free, popular and republican government, r a monarchy in disguise.

This important question, said Mr. C. has been very fully and bly discussed by those who have preceded me on the side I inend to advocate. It is not my intention to repeat their arguents, nor to enforce them by additional illustration. I prose to confine myself to a single point of view, but that point hold to be decisive of the question.

If the power to dismiss is possessed by the executive, he must old it in one of two modes: either by an express grant of the ower by the constitution, or as a power necessary and proper execute some power expressly granted by that instrument. ll the powers under the constitution may be classed under one the other of these heads; there is no intermediate class. The st question then is, has the president the power in question any express grant in the constitution? He who affirms that e has, is bound to show it. That instrument is in the hands every member; the portion containing the delegation of powto the president is short. It is comprised in a few sentences. ask the senators to open the constitution, to examine it, and find, if they can, any authority given to the president to dis iss a public officer. None such can be found; the constitun has been carefully examined, and no one pretends to have und such a grant. Well then, as there is none such, if it exts at all, it must exist as a power necessary and proper to exette some granted power; but if it exists in that character, it longs to congress and not to the executive. I venture not is assertion hastily; I speak on the authority of the constitun itself; the express and unequivocal authority which cannot denied nor contradicted. Hear what that sacred instrument ys: "Congress shall have power to make all laws which shall necessary and proper for carrying into execution the forego- g powers" (those granted to congress itself), "and all other wers vested by this constitution in the government of the nited States, or in any department or office thereof." Mark e fulness of the expression. Congress shall have power to ake all laws, not only to carry into effect the powers express- delegated to itself, but those delegated to the government, or y department or office thereof; and of course comprehends e power to pass laws necessary and proper to carry into effect e powers expressly granted to the executive department. It llows of course, to whatever express grant of power to the ecutive the power of dismissal may be supposed to attach, hether to that of seeing the law faithfully executed, or to the ill more comprehensive grant, as contended for by some, vest- g executive powers in the president, the mere fact that it is a ower appertenant to another power, and necessary to carry it to effect, transfers it, by the provisions of the constitution citl, from the executive to congress, and places it under the conol of congress, to be regulated in the manner which it may dge best. If there be truth in reasoning on political subjects, e conclusion at which I have arrived cannot be resisted. I ould entreat gentlemen who are opposed to me, said Mr. C. to ause and reflect, and to point out if possible the slightest flaw the argument, or to find a peg on which to hang a doubt. an they deny that all powers under the constitution are either wers specifically granted, or powers necessary and proper to rry such into execution? Can it be said that there are inhent powers comprehended in neither of these classes, and exting by a sort of divine right in the government? The senator om New York, (Mr. *Wright*), attempted to establish some ch position, but the moment that my colleague touched it ith the spear of truth, he (Mr. W.) shrunk from the deformity f his own conception. Or can it be asserted that there are wers derived from obligations higher than the constitution itelf? The very intimation of such a source of power hurled om office the predecessor of the present incumbent. But if it annot be denied that all the powers under the constitution are omprised under one or the other of these classes, and if it is acknowledged, as it is on all sides, that the power of dismissal is not specifically granted by the constitution, it follows, by irresistible and a necessary consequence, that the power belongs not to the executive but to congress, to be regulated and controled at its pleasure.

I would be gratified, said Mr. C. that any one who entertains an opposite opinion would attempt to refute this argument, and to point out wherein it is defective; and such perfect confidence do I feel in its soundness, that I will yield the floor to any senator who may rise and say that he is prepared to refute it.

[Here Mr. *Tallmadge*, from New York, rose, and said that he was not satisfied with the argument, and would attempt to show its error. Mr. C. sat down, for the purpose of giving him an opportunity; when Mr. T. began a formal speech on the subject generally, without attempting to meet Mr. C's argument, when the latter rose and said, that Mr. T. had mistaken him; that he did not yield the floor for the purpose of enabling Mr. T. to make a speech, but to enable him to refute the argument which Mr. C. had advanced; and that if Mr. T. was not prepared to do so, he (Mr. C.) would proceed in the discussion.]

Mr. *Calhoun* proceeded, and said: The argument on which I have relied has been alluded to by the senator from Tennessee (Mr. *White*) and my friend from Kentucky, who sits before me, (Mr. *Bibb*) and the senator from Tennessee, (Mr. *Grundy*), whom I am sorry not to see in his place, attempted a reply. He objected to the argument, on the ground that the construction put upon the clause of the constitution which has been quoted, would divest the president of a power expressly granted him by the constitution. I must, said Mr. C. express my amazement, that one so clear sighted, and so capable of appreciating the just force of an argument, would give such an answer. Were the power of dismissal a granted power, the argument would be sound; but, as it is not, to contend that the construction would divest him of the power, is an assumption without the slightest foundation to sustain it. It is *his* construction, in fact, which divests congress of an expressly granted power, and not ours, which divests the president. By his he would take from congress the authority expressly granted of passing all laws necessary and proper to carry into effect the granted powers, under the pretext that the exercise of such a power, on the part of congress, would divest the executive of a power nowhere granted in the constitution.

I feel, said Mr. C. that I must appear to repeat unnecessarily what of itself is so clear and simple as to require no illustration; but I know the obstinacy of party feeling and preconceived opinions, and with what difficulty they yield to the clearest demonstration. Nothing can overthrow them but repeated blows.

Such, said Mr. C. are the arguments by which I have been forced to conclude, that the power of dismissing is not lodged in the president, but is subject to be controlled and regulated by congress. I say forced because I have been compelled to the conclusion in spite of my previous impression. Relying upon the early decision of the question, and the long acquiescence in that decision, I had concluded without examination that the decision had not been disturbed, because it rested upon principles two clear and strong to admit of doubt. I remained passively under this impression until it became necessary, during the last session, to examine the question, when I took up the discussion of '98, with the expectation of having my previous impressions confirmed. The result was different. I was struck, on reading the debate, with the superiority of the argument of those who contended that the power was not vested by the constitution in the executive. To me they appeared to be far more statesman like than the opposite arguments, and partake much more of the spirit of prophecy. After reading this debate, I turned to the constitution, which I read with care in reference to the subject discussed, when for the first time I was struck with the full force of the clause which I have quoted, and which, in my opinion, forever settled the controversy.

I will now, said Mr. C. proceed to consider what will be the effect on the operation of the system under the construction which I have given. In the first place it would put down all discretionary power, and convert the government into what the framers intended it should be—a government of laws and not of discretion. If the construction be established, no officer, from the president to the constable, and from the chief justice to the lowest judicial officer, could exercise any power but what is expressly granted by the constitution, or by some act of congress; and thus that which in a free state is most odious and dangerous of all things—the discretionary powers of those who are charged with the execution of the laws—will be effectually suppressed, and the dominion of the laws be fully established.

I would, in the next place, unite, harmonize and blend into one whole all the powers of the government, and prevent that perpetual and dangerous conflict which would necessarily exist between the departments of this government under the opposite construction. Permit each department to judge of the ex-

tent of its own powers, and to assume the right to exercise all powers which it may deem necessary and proper to execute the powers granted to it, and who does not see that in fact the government would consist of three independent, separate and conflicting departments; without any common point of union, instead of one united authority controlling the whole? Nor would it be difficult to see in what this contest between conflicting departments would terminate. The executive must prevail over the other departments. Without its concurrence the action of the other departments are impotent; neither the decrees of the court nor the acts of congress can be executed but through the executive authority; and if the president be permitted to assume whatever power he may deem to be appertenant to his granted powers, and to decide according to his will and pleasure, and on his own responsibility, whether the decision of the court or the acts of congress are or are not consistent with the rights which he may arrogate to himself, it is impossible not to see that the authority of the legislative and judicial departments would be under his control. Nor is it difficult to see that, if he may add the power of dismissal to that of appointment, and thus assert unlimited control over all who hold office, he would find but little difficulty in maintaining himself in the most extravagant assumption of power. We are not without experience on this subject. To what but to the false and dangerous doctrine against which I am contending, and into which the present chief magistrate has fallen, are we to attribute the frequent conflicts between the executive and the other departments of the government, and which so strongly illustrates the truth of which I have stated. Under the opposite and true view of our system all these dangerous jars and conflicts would cease. It unites the whole into one, and the legislative becomes, as it ought to be, the centre of the system, the stomach and the brain, into which all is taken, digested and assimilated, and by which the action of the whole is regulated by a common intelligence; and this without destroying the distinct and independent functions of the parts. Each is left in possession of the powers expressly granted by the constitution, and which may be executed without the aid of the legislative department, and in the exercise of which there is no possibility of coming into conflict with the other departments; while all discretionary power necessary to execute those granted, and in the exercise of which the separate departments would necessarily come into conflict, are by a wise and beautiful provision of the constitution transferred to congress, to be exercised solely according to its discretion, and thus avoiding, as far as the departments of the government are concerned, the possibility of collision between the parts. By a provision no less wise, this union of power in congress is so regulated as to prevent the legislative from absorbing the other departments of the government. To guard the executive against encroachments of congress, the president is raised from his mere ministerial functions to a participation in the enactment of laws. By a provision in the constitution, his approval is required to the acts of congress; and his veto, given him as a shield to protect him against the encroachment of the legislative department, can arrest the acts of congress, unless passed by two-thirds of both houses. And here, let me say, that I cannot concur in the resolution offered by my friend from Maryland, (Mr. *Kent*), which proposes to divest the executive of his veto. I hold it to be indispensable; mainly on the ground that the constitution has vested in congress the high discretionary power under consideration, which, but for the veto, however necessary for the harmony and unity of the government, might prove destructive to the independence of the president. He must, indeed, be a most feeble and incompetent chief magistrate if, aided by the veto, he would not have sufficient influence to protect his necessary powers against the encroachments of congress. Nor is the judiciary left without ample protection against the encroachments of congress. The independent tenure by which the judges hold their office, and the right of the court to pronounce when a case comes before them upon the constitutionality of the acts of congress, as far at least as the other departments are concerned, affords to the judiciary an ample protection. Thus all the departments are united in one, so as to constitute a single government, instead of three distinct, separate and conflicting departments, without impairing their separate and distinct functions, while, at the same time, the peace and harmony of the whole are preserved.

There remains, said Mr. C. to be noticed another consequence not less important. The construction for which I contend strikes at the root of that dangerous control which the president would have over all who hold office, if the power of appointing and removal without limitation or restriction were united in him. Let us not be deceived by names. The power in question is too great for a chief magistrate of a free state. It is in its nature an imperial power, and, if he be permitted to exercise it, his authority must become as absolute as that of the autocrat of all the Russias. To give him the power to dismiss, at his will and pleasure, without limitation or control, is to give him an absolute and unlimited control over the subsistence of almost all who hold office under government. Let him have the power, and the sixty thousand who now hold employment under government would become dependent upon him for the means of existence. Of that vast multitude, I may venture to assert that there are very few whose subsistence does not more or less depend upon their public employment. Who does not see that a power so unlimited and despotic over this great and powerful corps must tend to corrupt and debase those who compose it, and to convert them into the supple and willing instruments of him who wields it? And here let me remark, said Mr. C. that I have been unfairly represented in reference to this point. I have been charged to assert that the whole body of office holders are corrupt, debased and subservient: with what view, those who made this charge can best explain. I have made no such assertion, nor could it with truth be made. I know that there are many virtuous and high minded citizens who hold public office; but it is not, therefore, the less true that the tendency of the power of dismissal is such as I have attributed to it; and that if the power be left unqualified, and the practice be continued as it has of late, the result must be the complete corruption and debasement of those in public employ. What, Mr. C. asked, has been that powerful cause that has wrought that wonderful change which history teaches us has occurred at different periods in the character of nations? What has bowed down that high, generous and chivalrous feeling; that independent and proud spirit which characterized all free states in rising from the barbarous to the civilized condition; and which finally converted them into base sycophants and flatterers? Under the operation of what cause did the proud and stubborn conquerors of the world, the haughty Romans, sink down to that low and servile debasement which followed the decay of the republic? What but the mighty cause which I am considering; the power which one man exercised over the fortunes and subsistence, the honor and the standing of all those in office or who aspired to public employment? Man is naturally proud and independent, and if he loses these noble qualities in the progress of civilization, it is because, by the concentration of power, he who controls the government becomes deified in the eyes of those who live, or expect to live, by its bounty. Instead of resting their hopes on a kind Providence and their own honest exertions, all who aspire are taught to believe that the most certain road to honor and fortune is servility and flattery. We already experience its corroding operation. With the growth of executive patronage and the control which the executive has established over those in office by the exercise of this tremendous power, we witness among ourselves the progress of this base and servile spirit, which already presents so striking a contrast between the former and present character of our people.

It is in vain to attempt to deny the charge. I have marked its progress in a thousand instances within the last few years. I have seen the spirit of independent men, holding public employ, sink under the dread of this fearful power, too honest and too firm to become the instruments or flatterers of power, yet too prudent, with all the consequences before them, to whisper disapprobation of what in their hearts they condemned. Let the present state of things continue; let it be understood that none are to acquire the public honors or to attain them but by flattery and base compliance, and in a few generations the American character will become utterly corrupt and debased.

Now is the time to arrest this fatal tendency. Much will depend on the vote on the measure which is now before you. Should it receive the sanction of this body and the other branch of the legislature, and the principle be once established that the power of dismissal is subject to be regulated by the action of congress, and not, as is contended, under the sole control of the executive, the danger which now menaces the destruction of our system may yet be arrested. The discretionary and despotic power which the president has assumed to exercise over all in the public employment would be subject to the control of law; and public officers, instead of considering themselves as the mere agents of the executive department, and liable to be dismissed at his will and pleasure, without regard to conduct, would be placed under the protection of the law.

But it is objected by the senator from Tennessee, (Mr. *Grundy*), that the construction for which I contend would destroy the power of the president, and arrest the action of the government. I must be permitted to express my surprise, said Mr. C. that such an objection should come from that experienced and sagacious senator. He seems entirely to forget that the president not only possesses executive powers, but also legislative; and that he is not only a chief magistrate, but also a part of the law making power. Does he not recollect that the president has his veto; and that no law can be passed which would improperly diminish the authority which ought to belong to him as chief magistrate without his consent, unless passed against his veto by two-thirds of both houses?—an event which, it is believed, has not occurred since the commencement of the government, and the occurrence of which is highly improbable. How, then, can it be asserted, that the construction for which I contend would destroy the just authority of the president? Let it be established, and what would follow? Every proposition to regulate and control the power of dismissal would become a question of expediency, and would be liable to be assailed by all who might suppose that it would impair improperly the power of the chief magistrate. And seconded as they would be by the veto, if necessary, there could be but little danger that restriction too rigid would be imposed on his authority. The senator from Tennessee also objects that the measure would be impracticable, and asks, with an air of triumph, what would the senate do if the reasons of the president should be unsatisfactory? I do not, said Mr. C. agree with those who think that the senate can or ought to continue to reject the nominations of the president in such cases, until the officer who has been dismissed shall be restored. I believe that course to be impracticable, and that in such a struggle the re-

sistance of the senate would be finally overcome. My hope is, that the fact itself that the president must assign reasons for removals, would of itself go far to check the abuses which now exist. I cannot think that any president would assign to the senate as a reason for removal, that the officer removed was opposed to him on party grounds. Such is the deceptive character of the human heart, that it is reconciled to do many things under plausible covering which it would not openly avow. But suppose there should be a president who would act upon the principle of removing on a mere difference of opinion, without any other fault in the officer, and who would be bold enough to avow such a reason, congress would not be at a loss for a remedy, on the principles for which I contend. A law might be passed that would reach the case; it might be declared that the removal by the president, if his reasons should not prove satisfactory, should act merely as a suspension to the termination of the next ensuing session, unless filled by the advice and consent of the senate.

The senator from Tennessee has conjured up a state of frightful collision between the executive and the dismissed officers, and has represented the senate chamber as the arena where this conflict must be carried on. He says, if the president should be bound to assign his reasons, the party dismissed would of right have a claim to be heard as to the truth and correctness of those reasons, and that the senate would have its whole time engrossed in listening to the trial. All this is mere imaginary, if the president on his part should exercise the power of removal with the discretion and justice which he ought, and with which all the predecessors of the present chief magistrate have in fact exercised it. Does he suppose if a measure, such as is now before the senate, had been in operation at the commencement of the government, that the father of this country—a man no less distinguished by his moderation than his wisdom—would have experienced the least embarrassment from its operation? Does he suppose that the dismissal of nine officers in eight years during his presidency, would have given all that annoyance to him and this body, which the senator anticipates from the measure? Would there have been any difficulty in the time of the elder Adams, either to himself or the senate, from the ten officers whom he dismissed during his presidency? Would any have been experienced, during Mr. Jefferson's presidency of eight years, even with the forty-two whom he dismissed? Or, in the presidency of Mr. Madison, that mild and amiable man, who, in eight years of great excitement, of which nearly three was a period of war, dismissed but five officers? Or, during the presidency of Mr. Monroe, who, in eight years dismissed but nine officers? Or, of the younger Adams, who in four years, dismissed but two officers? I come now, said Mr. C. to the present administration, and here I concede, that with the dismissal of 230 officers in the first year, and I know not how many since, the scene of trouble and difficulty both to the president and senate, which the senator from Tennessee, (Mr. *Grundy*), painted in such lively colors, would have occurred, had the measure been in operation.

This, however, constitutes no objection to the measure, but to the abuse; the gross and dangerous abuse of the power of dismissal which it is intended to correct. It is a recommendation that it would impede and embarrass the abuse of so dangerous a power. The more numerous and greater the impediment of such abuses, the better. I apprehend (said Mr. C.) that the senator from Tennessee (Mr. *Grundy*) entirely misconceives the operation of the measure under a discreet and moderate administration. Under such a one the charges exhibited against an officer would be transmitted to the accused; would undergo a regular investigation in the presence of the party, and the accused would be heard in his own defence before the charge would be acted on. If sustained, and the officer be discharged, the whole proceedings would accompany the nomination of the successor as showing the grounds on which he was dismissed.

During the time (said Mr. C.) that I occupied the place of secretary of war under Mr. Monroe, two officers of the government, holding civil employment connected with that department, were dismissed for improper conduct; and in both cases the course which I have indicated was adopted. The officers were not dismissed until after full investigation, and the reasons for dismission reduced to writing and communicated to them.

But the senator from Tennessee (Mr. *Grundy*), further objects, that the construction for which we contend, would concentrate all powers of the government in congress, and would thus constitute the very essence of despotism, which consists, as he asserts, in uniting the powers of the three departments in one. I could, said Mr. C. hardly have anticipated, that one whose conceptions are so clear on most subjects, would venture so bold an assertion. Has not the senator reflected on the nature of the legislative department in our system? To make a law, it is necessary not only to have the participation of the two houses, but that also of the executive; except, indeed, in the case of a veto, when, as has been stated, the measure must be passed by two-thirds of both houses. Does he not see from this, that to vest congress, as the constitution has done, with all the discretionary power, is to vest the power not simply in the two houses, but also in the president; and is, in fact, to require the concurrence of both departments to the exercise of such high and dangerous powers, instead of leaving it to each separately, as would have been the fact without this wise provision? I will tell the senator that it is the doctrine for which he, and not that for which we contend, which leads to concentration—a doctrine which would leave to each department to assume whatever power it might choose; and which, in its necessary effects, as has been shown, would concentrate all the powers of the government in the chief magistrate. This process has been going on under our eyes rapidly for the last few years; and yet the gentleman, who appears now to be so sensitive as to the danger of concentration, looks on with perfect indifference, not to say with approbation. We have, said Mr. C. lost all sensibility; we have become callous and hardened under the operation of these deleterious practices and principles, which characterize the times. What a few years since would have shocked and roused the whole community, is now scarcely perceived or felt. Then the dismissal of a few inconsiderable officers, on party grounds, as was supposed, was followed by a general burst of indignation; but now, the dismissal of thousands, when it is openly avowed that the public offices are the "spoils of the victors," produces scarcely a sensation. It passes as an ordinary event. The present state of the country, said Mr. C. was then anticipated. It was foreseen, as far back as 1826, that the time would come when the income of the government and the number of those in its employ would be doubled, and that the control of the president, with the power of dismissal, would become irresistible. All of which was urged as an inducement for the reform at that early period; and as a reason why the administration then in power should be expelled, and those opposed to them should be elevated to their places. But now, when this prophecy has been realized, we seem perfectly insensible of the danger to which the liberty and institutions of the country are exposed. Among the symptoms of the times, said Mr. C. which indicate a deep and growing decay, I would place among the most striking, the difference in the conduct of those who seek public employment before and after their elevation. In the language of the indignant Roman, they solicit offices in one manner, and use them in another. And this remark was not more true in that degenerate state of the noblest of all the republics of antiquity, than it is of ours in the present time. It is not only, said Mr. C. a symptom of decay, but it is also a powerful cause.

When it comes to be once understood that politics is a game; that those who are engaged in it but act a part; that they make this or that profession, not from honest conviction or intent to fulfil them, but as the means of deluding the people, and through that delusion to acquire power; when such professions are to be entirely forgotten, the people will lose all confidence in public men. All will be regarded as mere jugglers—the honest and the patriotic, as well as the cunning and the profligate—and the people will become indifferent and passive to the grossest abuses of power, on the ground that those whom they may elevate, under whatever pledges, instead of reforming, will but imitate the example of those whom they have expelled.

I, said Mr. C. rejoice however, that there are many who are counted in the administration ranks who have a proper regard for the professions of the party while canvassing for power. I see the commencement of a separation between those who are disposed to go all lengths to abandon all former principles in the support of power, and those who are not disposed to advance beyond the point where they now stand. Let those who are disposed to sustain the power of the executive, however extravagant, reflect on what has occurred during the present discussion, and the manly and independent sentiments which have been expressed in the ranks of the administration itself, and they will see cause to halt in their course. They have pushed things as far as they can be pushed with safety; to push them farther must end in division and overthrow.

But the senator from New York (Mr. *Wright*), regards all this alarm on account of the vast increase of executive power, as perfectly imaginary. He contends that the view drawn in the report of the committee, as to the extent of patronage, is greatly exaggerated; and for this purpose assails that part of the report which treats of the number of those in the employ of the government, and living on its bounty, as constituting one of the elements of executive patronage. The senator is possessed of clear perception and strong powers of discrimination, and he anticipated from the confident manner in which he expressed himself, that he had discovered some flaw or weakness in that portion of the report. He is not usually the man to make bold assertion without his proof; but I must say that, in this case, the senator has disappointed me. What error or exaggeration has he discovered in the report? Has he shown the number stated to be greater than in reality it is? Has he shown that there is any error in the various heads under which they are classified? Or that there is a single class which does not contribute to swell the power and influence of the executive? He has not even made an attempt to point out any error of the kind. He drew his number and classification from the report itself, and has not pretended to show that there has been any over estimate on the part of the committee attached to any one of the classes.

But though the senator has not succeeded in showing an over estimate, he has labored strenuously, though I must say unsuccessfully, to show that the patronage is far less than in reality it is. The senator would, for instance, have us lay aside the pensioners, as adding little or nothing to the patronage of the government. I had (said Mr. C.) supposed that he was too good a judge of human nature, not to know that the mere fact that a man living upon the bounty of the government naturally disposes him to the side of power? If to this we add the fact,

that the pensioner is liable to have his pension questioned whether he is rightfully entitled to it or not, and that the decision of this question, so important to him, rests with those in power: that there are thousands who are seeking pensions who must look in the same direction for the gratification of their wishes—to say nothing of the host of pension agents, in and out of congress, whose importance and influence with the people may depend upon their success in obtaining pensions—we may realize the vast addition which so large a pension list as ours is calculated to give to the patronage of the executive. I am (said Mr. C.) informed that a single member, in one session, obtained upwards of three hundred and fifty pensions; and can the senator doubt how much he was strengthened in his district by his success, when a large majority of those whom he so successfully served were probably voters? Taking every thing into consideration, so far from considering the pensions as an inconsiderable source of influence and patronage, as the senator would have us believe, I am of impression that it is among the most fruitful sources of both; and that to the late great extension of the number of pensioners, we may attribute the strength of the administration in some of the states of the union. I have great respect for the secretary of war and the chief of the pension bureau, and I do not wish to be considered as making any personal imputations.

The senator from New York next tells us that the army contributes very little to the influence and patronage of the executive; that it consists principally of soldiers, and those for the most part located on the frontiers, far removed from the scenes of political struggles. The senator would seem to have very imperfect conceptions of the nature of the influence which an army brings to a government. Is he ignorant that it is to be fed, and clothed, and housed, and removed at the expense of millions, wherever employed, and that all this heavy expenditure must bring a corresponding increase of power and influence? I, for my part, (said Mr. C.) consider an army amongst a spirited people, armed and accustomed to the use of arms as the Americans are, as far more dangerous on account of the patronage which it brings to the government, than on account of its physical force; and it is mainly under this impression, that I have ever been opposed to its increase beyond the point necessary to preserve proper military organization and skill.

The senator, taking the same fallacious view, would put the navy out of the list, as contributing but little to the patronage of the government. What I have said in reference to the army is equally applicable to the navy, and supersedes the necessity of adding any thing further.

But the final objection of the senator is, that the patronage of the government is not as great, as far as the number of those employed may contribute to it, as if they were all custom house officers and some other classes of officers, which he estimates at some three or four thousand, and which, he admits, are calculated to exercise some influence. I acknowledge (said Mr. C.) they are not so powerful as they would be, if they consisted of the classes referred to by the senator; but let me tell him, that if we had a corps of one hundred thousand such, the friends of liberty might surrender in despair. Our cause would be hopeless! The people could not resist them for six months.

I have now, said Mr. C. concluded what I intended to say on the question involved in the third section of the bill, and will next proceed to notice some objections to the other portions of the bill. The senator from Tennessee (Mr. *Grundy*) objects to the first section, which proposes to repeal the four years' law, on the ground that it would diminish the power of the senate, and increase that of the president. If such was the fact, the last quarter from which I should expect such an objection would be that from which it comes. But the senator may dismiss his fears. There is not the slightest ground for the apprehension which he professes. It is true, that without that law the senate would not have the opportunity of passing on the conduct of the officers who may be renominated under it; but let me bring the senator to reflect how little influence that fact gives to the senate, compared to the influence which the president acquires under the law over all those who must depend on him under its provisions, for a renomination. Let him reflect how few of those renominated are rejected by the senate, compared to those whom the president has refused to nominate, and how little influence the senate acquires or the president loses by the rejection of the former. Should the senate reject on party ground, it has no power to fill the place of the person rejected—that depends upon the president; what then is the fact? The senate makes an enemy without acquiring a friend, while the president is sure to acquire two friends without making an enemy: the rejected and the one who fills his place. If to this we add, that the present president has made it an invariable practice to reward in some shape or other every man rejected by the senate, however good the cause for rejection, it must be obvious that the apprehension of the senator from Tennessee, that the repeal of the four years' law would weaken the senate and strengthen the executive, is without foundation. He may dismiss all anxiety on that head.

But it is further objected, that the repeal of the four years' law would destroy the principle of rotation in office, which the senator from Maine (Mr. *Shepley*), and some others on the same side, represent as the very basis of republican institutions. We often, said Mr. C. confound things that are entirely dissimilar, by not making the proper distinction. I will not undertake to inquire now whether the principle of rotation, as applied to the ordinary ministerial officers of a government, may not be favorable to popular and free institutions, when such officers are chosen by the people themselves. It certainly would have a tendency to cause those who desire office, when the choice is in the people, to seek their favor; but certain it is, that in a government where the chief magistrate has the filling of vacancies instead of the people, there will be an opposite tendency to court the favor of him who has the disposal of offices, and that for the very reason that when the choice is in the people their favor is courted. If the latter has a popular tendency, it is no less certain that the former must have a contrary. I, for my part, must say, that according to my conception, the true principle is to render those who are charged with mere ministerial offices secure in their places, so long as they continue to discharge their duty with ability and integrity; and I would no more permit the chief magistrate of a country to displace them without cause, on party grounds, than I would permit him to divest them of their freeholds. The power to divest them of the one, is calculated to make them as servile and dependent as the power to divest them of the other.

I have now, said Mr. C. concluded what I intended to say. I have omitted several subjects which I was desirous of discussing connected with the highly important question which has so deeply occupied the attention of the senate; but the session is so near to a close that I feel the necessity of brevity, and will therefore forego what I would otherwise say.

EDITORIAL AND MISCELLANEOUS.

The late worthy agent for the REGISTER, in New York, (Mr. *Sheppey*), having removed to Illinois, *Edwin Williams*, esq. secretary of the American Institute, No. 41 Courtlandt street, is appointed his successor—with authority to receive orders, and, generally, to attend to all the business of this office that may be presented to him.

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Mr. *Livingston's* last letter to the duke *de Broglie*, will be found in the present sheet. It is a very able, and a strong paper. We think that our affairs with France will speedily be settled, nothing substantial standing in the way of an entire adjustment.

We think that Mr. L. has placed the requested explanation, by the *deputies*, entirely in the wrong. The whole matter belongs to ourselves, and is among ourselves. And *the* "explanation" is to be found in the proceedings of congress on the subject. This is a matter on which we all are agreed:—but it will not prevent a *civil* answer to any inquiry on the subject. And further—we would not go.

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The road to Washington, from Baltimore, would have been finished, and opened this day, but for the unaccountable delay of iron for the rails. However, a locomotive and cars were placed upon it, and it was travelled into the District, with great satisfaction and high speed, on Wednesday last. It is ascertained that the *time* employed between the cities will not exceed two hours.

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Rail roads in Europe. A French paper says—

"When the road from Paris to Havre shall be finished, by means of the steamboats which already traverse the Baltic and the North Sea, and of those which will soon plough the Mediterranean and the Bosphorus, the traveller setting out from Petersburg, will be able to pass through Lubec, Hamburg, Havre, Paris, Lyons, Marseilles, touch at Leghorn, Rome, Naples, Sicily, the Ionian Islands, Athens, Smyrna, and reach Constantinople on the sixteenth day."

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The following from the *Columbia Times*, and the comments upon it from the *Richmond Whig*, partake largely of the "old leven" of folly:

"A summary statement of the value of the exports of the growth, produce and manufacture of the United States, during the year commencing on the first day of October, 1833, and ending on the 30th day of September, 1834.

The exports of agricultural productions amount to		$67,380,787
"	Cotton and wool manufactures,	2,085,894
"	Other articles,	11,641,725
Total,		$81,108,506

Is not the above statement sufficient to convince every candid man of the great inequality of our present system of federal taxation. The planting states pay NINE TENTHS OF THE PUBLIC REVENUE. And for what do they pay it? For their love of the union—for the honor of sending representatives to Washington, and for the privilege of calling themselves citizens of this grand confederacy. For what else can they pay it? Nothing that we know of. Is the national arm extended for their protection when foreign powers trample upon their rights and property?

Look at the Bermuda and West India outrages. How long can the south afford to pay such prices for mere visionary honors?

Comment, from the Richmond Whig. The cotton crop is estimated this year at 1,250,000 bales, which at $60 a bale, will be $80,000,000. Others with more probability, estimate it at 1,400,000 bales, and its value at $70 or $75 a bale. The tobacco crop will exceed $10,000,000. The rice, sugar, &c. at we really do not know what, but an enormous amount. These immense values are annually and most rapidly enlarging. The exports of the states north of the Potomac are inconsiderable in comparison, but it is evident that the north has the *bargain* in the union. The burthen of imports falls upon southern shoulders. The northern states are enriched by southern production. The laws affecting commerce are framed for their benefit. Legislation flows from the north, and no doubt she will be happy in return for the wealth the south pours into her outspread lap, to furnish her with presidents and rulers, as long as the south may please! This is one boon, and added to it, the north will *protect* us against foreign and domestic foes! We can never value the favor too highly!!!

We had thought that the day of such things had passed away—never to return. It is self-evident, that it is the *consumer*, or *user*, of an article who pays the tax upon it. He must obtain money and apply it to that purpose. Large, indeed, is the value of cotton exported, but that value is as much in the subsistence and labor, that, in a thousand different ways, passes into its value, as in the cotton itself—and the man who makes a gin, as surely adds to the value as another who plants and gathers the cotton. All values, indeed, are made up of *combinations* of indivisible values, pertaining as well to the subsistence of individuals as to the facilities that may be given to their various operations—and every value, whether for foreign export or home use, EQUALLY CONTRIBUTES ITS PROPORTION TO THE PUBLIC WEALTH.

The annual worth of all the mechanical and manufacturing products of the United States, is about *five hundred millions of dollars*—or ten times as much as that of cotton; and, of agricultural products consumed in the United States, some *eight or ten millions* more. The theory is—that, as cotton and tobacco are the chief agents of importations, that those who produce *them* pay the cost of such importations—by the same rule, the merchant pays all the taxes upon them! than which nothing can be more splendidly ridiculous. Whether a dollar be earned by planting cotton, or making a wooden bucket, the value obtained is equally available, and passes into the general mass of property created. The caps and bonnets of straw, for women, and palmetto hats for men, would probably purchase the whole crop of tobacco, and are equally required by the public convenience—and we have heard it said, that a lady had five or six bales of cotton hanging to her ears, or twenty bales lumbering on her bosom, in the shape of jewelry in her possession and use. Such exchanges are continually proceeding, and will proceed as long as man is possessed of his present desires or wants. The value of our manufactures of leather are worth about *sixty millions*—and we have as much need of shoes as of stockings! and, money obtained by the sale of domestic shoes, has just the same value as money collected for foreign stockings sold.

The foreign commerce of the United States is only about a TWENTIETH part of the value of the CREATIONS of property annually consumed—but is important as a "balance wheel" in the establishment of prices. In other respects, we should hardly feel the loss of it!

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The Madison, (Indiana) Republican of the 18th inst. states that the *cholera* was then prevailing in that town with fearful malignity, as many as fifteen deaths having occurred in one day. Cases have occurred at Cincinnati, and other places.

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A naval court martial, com. *Warrington*, president, has been sitting, last week and the present, at Baltimore, for the trial of capt. *Reed*, on charges preferred by midshipman *Wilson*. Capt. R. through his council, Mr. J. P. Kennedy, offered his defence on Tuesday last.

A naval court for the examination of midshipmen, has been sitting for several weeks at Baltimore—and a court martial will speedily assemble for the trial of purser *Zantzinger*.

The ceremony of breaking ground for the Wilmington and Susquehannah rail road took place on Saturday last, and was highly imposing—the governor of the state, the last of the *Delaware line*, delivering a brief and pertinent address, and the whole concluded with a splendid entertainment at *Smith's*, &c. This important link in a line of rail roads from Baltimore to Philadelphia, is to be finished in 18 months.

An expose of the plans of the company was made by Mr. *Strickland*, the engineer, from which we make the following extract:

1st. As to the location of the road. It is singularly straight, and forms the most direct line of communication between the cities of Philadelphia and Baltimore.

From this apple tree, which is in sight of the town of Wilmington, the road is laid through the valley of the Christiana: it passes through the towns of Newport and Stanton, to White-clay creek: from the White clay it extends up the valley and crosses the table land at a short distance to the southard of Newarkt it passes the head waters of the Christiana near the base of Chesnut Hill, and pursuing a direct line through the state of Delaware into Maryland it crosses the Elk river near the town of Elkton; from thence passing through Elkton to the valley of Mill creek, it crosses the ridge, dividing the waters of the Elk from those of the bay of North East, and continues in nearly a straight line to the ancient town of Charlestown, at the head of the Chesapeake bay.

At Charlestown the facilities of a direct water communication by the Chesapeake to Baltimore are very great—but the line of road is not intended to stop here; we are but a short distance from the Susquehannah at Havre de Grace, where a junction will be formed with a continuous rail road now making from the city of Baltimore to this last mentioned point.

Throughout the whole of this country the track of the road is laid on the most favorable ground, at the most moderate grades, and nearly in a straight line from the position where we are now assembled.

2d. The distance from this point to the town of Charlestown is scarcely 26 miles.

From Charlestown to the ferry at Havre de Grace it is 6 miles, making a distance of 32 miles to the Susquehannah river.

From Havre de Grace to Baltimore the distance of the rail road now located is 35 miles; in all 67 miles from Wilmington to Baltimore.

The work is expected to be finished in eighteen months from this date.

At a meeting of the committees from the two boards of directors, of the Philadelphia and Delaware county, and Wilmington and Susquehannah rail road companies, held at Chester, June 26, 1835, it was

Resolved, That it be recommended to the directors of each company to employ a competent engineer to survey and locate a route from the city of Philadelphia to the city of Wilmington, with the view to making a continued rail road from the said city of Philadelphia to the city of Baltimore, and that the same be effected as soon as practicable.

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A passenger who arrived at Havre in the packet ship Charlemagne, embarked the same day in the steam packet for Hamburg, which performs the passage in 50 hours, when they take the stage for Lubec, arrive there in six hours, and then embark in the "General Steam Navigation company" packet for St. Petersburg, where they may arrive on the fourth day—thus making the voyage from New York to St. Petersburg in less than 25 days.

[*N. Y. Mercantile.*

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We learn from the *Alexandria Gazette* that—The increasing value of the Potomac fisheries is beginning to be felt in the increased value of the estates on the banks of the river. Major Greer's shore and land, on the Maryland side, sold last week for $25,000, and the High Point estate, near the Occoquan, on the Virginia side, brought $38,000.

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The Bunker Hill monument, at Boston, is in a state of progression. According to a recent report of the Monument association, it is estimated that by November, 66 feet will be added to the height of the monument, making the whole elevation than more than one hundred feet. With equal progress, next year, the monument can be completed.

The work is said to be done in the most efficient manner—the material is granite.

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It is calculated that the amount of ferryage received at Louisville, is $35,000 per annum. No wonder, then, that a bridge over the Ohio is about to be built. It will yield a great dividend.

The people talk of an excursion to *Chicago*, from Buffalo, as a thing of no importance—and we learn that at *Niles*, on the St. Joseph's of Lake Michigan, goods are delivered, from the city of New York, at from 175 to 200 cents *per cwt*. It will be seen that the *Queen Charlotte*, famous in "Perry's victory," has been raised, and is fitting at Buffalo, as a Chicago packet.

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The following account of a melancholy affair that happened in Baltimore on Saturday last, is copied from the "*Gazette*" of Monday:

Our city was visited, on Saturday afternoon, by a storm, similar in character but not so violent as was experienced in several places to the north east of us. Between six and seven o'clock the rain fell in torrents preceded and accompanied by violent wind and thunder. The damage to property was not extensive—two houses in Albemarle street, covered with tin, were unroofed, without further injury—and one of the chimnies left standing in the court house, after its recent conflagration, was thrown down—possibly struck by lightning, as some of the persons in the house were induced to believe—its fall being immediately after a vivid flash. In its fall the chimney broke down a temporary roof erected to protect from the rain the offices on the first floor, which are used by the county clerk, and the ruins of the chimney and roof fell on the stair case and partly into the hall of the building—it was here that the most serious and deeply to be regretted injury was caused. Mr. *Thomas Marshall*, son of the venerable chief justice of the United States, had arrived in this city a few hours before on his way to Philadelphia to visit his sick parent. He was walking with a friend in the street near the court house when the rain commenced, and both sought shelter in the hall from the storm. Mr. Marshall unfortunately occupied a position immediately within the reach of the falling ruins, which were precipitated on his head, and wounded him so severely, that, on the first examination, there was scarcely a hope entertained that he could survive. Every aid which the best medical and surgical talent of our city could give was given promptly, and with a degree of zeal and earnest solicitude which is characteristic of the distinguished gentlemen who attended on the distressing occasion. At one time some of the friends of the unfortunate sufferer indulged a hope, though a faint one, of the possibility of his recovery. He lingered till this morning, and expired about half past five o'clock, at the house of his friend and connexion, Dr. Alexander.

Mr. Marshall graduated at Princeton college in 1803, where he obtained the highly distinguished honor of speaking the valedictory oration. And never before, perhaps never since, was it better, if as forcibly and gracefully delivered as by our highly gifted orator. This indeed was the unanimous testimony of such as were his auditors, so far as respected their present knowledge and past experience. Mr. M. excelled in every thing he undertook—gaining the suffrages of his fellow-students and acquaintance as an "*universal genius*."

But the high endowments of intellect, the splendid and glorious superiority that genius confers upon its possessor, were graced and embellished and softened by those elegant manners, that winning deportment and amiable disposition, without which the gifts of the mind are comparatively worthless. For the first Mr. M. will be always admired by his surviving friends and acquaintance: for the last they will cherish his memory while they mourn his untimely end.

And the *Chronicle* adds—

The deceased is, we believe, the eldest son of the chief justice, was a member elect of the Virginia house of delegates, was endowed by nature with a rich and brilliant intellect, and was esteemed as a gentleman of great worth and usefulness. He possessed a large landed estate in Virginia, and has left six children, who are yet to learn his melancholy death.

We have seldom witnessed the sympathies of our citizens so much excited on behalf of any one, and the regret we have expressed at his demise is universal throughout the city.

The chief justice was himself better, before he had heard of this bereavement.

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The following statement shows the number of emigrants, &c. arrived in the port of Quebec, during the present and last three years, to the 15th June inclusive:

	Emigrants.	*No. of ships.*	*Tonnage.*
1832	28 016	455	108,450
1833	6 624	339	92,758
1834	14,137	400	108,450
1835	3,985	365	111,821

The emigration in 1832, was excessive. It was large in 1834. It will not be great, in the present year, into Canada or the United States—though considerable, in the latter, from *Germany*—and of those who are of the respectable classes, judging by appearances.

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It is computed that the city of *Pittsburgh*, and its environs, has a present population of 40,300 souls! Every day is adding to the mass of labor, and matter of values created.

The Nashville papers state that the U. S. bank has ordered the office in that place to collect its old debts by the 4th day of March next, and to close its new business, founded on bills to be drawn on New Orleans in anticipation of the growing crop, within six months from the 1st day of November next, thereby to enable the parent bank to withdraw its office from Nashville by the 1st day of May next.

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We have all the returns from the recent election in Florida. Col. White, as was anticipated, has been re-elected delegate to congress, by a very large majority, having 1,814 out of 3,671 votes given—the next highest candidate had but 818 votes.

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The election of directors of the *Merchant's bank*, of Baltimore took place on Wednesday last—when the "commissioners' ticket" was chosen by an actual majority of more than 1,500 votes. The bank will, thus, go into operation under the best prospect of success.

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At a legislative caucus held in New Hampshire, *Isaac Hill* was nominated for governor.

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The "St. Louis Republican" of the 16th ult. has the following:

The steamboat *Siam*, captain Littleton, arrived at this port yesterday morning in *seven days and ten hours* from port to port. The entire voyage hence to New Orleans and back, was performed in *seventeen days and seven hours*—as follows:

	Days.	*Hours.*
St. Louis to New Orleans,	5	2
In port,	4	19
New Orleans to St. Louis,	7	10

This is the shortest time in which the trip has ever been made, and shows extraordinary speed.

But another paper says that the following is an account of the "shortest trip on the western waters"—

A letter received yesterday from J. C. Buckles, agent of Knox & McKee, of Wheeling, owners of the steamboat Mediterranean, states that this splendid vessel arrived at Louisville with freight and passengers on the 19th inst. from New Orleans in *seven days and eleven hours*, exclusive of a detention of 19 hours, caused by repairs done to the engine. The distance is 1,421 miles, overcome at the rate of eight miles an hour against the impetuous current of the Mississippi. This is believed to be a quicker trip, by several hours, than any ever before made.

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Mr. *Leigh* will disappoint certain gentlemen and their calculations. It is understood that he will not be bullied or brow beaten out of the station to which he was called by the general assembly of Virginia; but will repair to it, prepared to sustain the principles, honor and interest of Virginia in all things, and to execute the instructions of those whom he acknowledges to have the right to govern his votes. The information which comes to us as authentic rumor, we believe will give pleasure to all independent men, and to many of the friends of general Jackson, more anxious to maintain the integrity of the constitution, than to accomplish the intrigues of Martin Van Buren. [*Richmond Whig.*

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At a trial which took place in Salem, Mass. a few days since, a man by the name of Enoch Winkley, of Amesbury, was excluded from giving testimony, on account of his disbelief in the existence of God. After several witnesses had been examined respecting his belief, judge Strong said—

"The evidence is satisfactory to me that Mr. Winkley is an atheist; that he does not believe in a supreme, intelligent ruler of the universe; that he does not believe in a God. It is true, that he says he is not an atheist, and that he believes in a God; but at the same time gives such an explanation of his belief, as clearly shews that he does not use the terms in their common and proper signification. As near as I can learn his views from the testimony, Mr. Winkley is a *materialist*, one of a sect that has grown up within a few years; by which I mean not a materialist in the older and more popular sense of that word, but who believes in a material God—that the universe is God. As I understand the law, he cannot be admitted to testify in a court of justice. I therefore shall not admit of his being examined as a witness.

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The following is from the Naval and Military Magazine, for the month of June last:

"The enormous key [that of the Bastile] was presented to general Washington, and now hangs in the hall of Mount Vernon, as the last remains of this aristocratical despotic dungeon."

We understand, says the Norfolk Beacon, that orders have been received at the navy yard, Gosport, to fit out the *North Carolina*, 74, immediately.

—

Mr. Haws, of Otsego, passed through this city for Boston—invited to celebrate the anniversary of American independence at that place. Mr. Haws is 100 years of age, and is the only survivor of that party which threw the tea overboard in Boston harbor. He is in good health and spirits, and retains all his faculties. Providence seems to have blessed with long life those who stood up for the liberty and independence of their country.

[*N. Y. Star.*

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The New York "*Mercantile Advertiser*" says—

Mr. *Johnson*, of the Tremont theatre, Boston, is in this city, and will make his first appearance on Friday next for Mrs. *Flynn's* benefit. A new piece will be produced, called "Bugs, Big and Little," in which Mr. Johnson will personate the celebrated Fanny—his imitation is excellent, and report speaks highly of it. We are really glad the piece is to be done at last, and we are convinced the house will be crowded. No doubt, some of our *big bugs* will figure conspicuously; one scene in particular was much applauded in the above city, it is where Fanny appears on horseback—Johnson in this scene was irresistible.

—

In the libel case tried at Newport last week, judge Story is stated to have said that the promise on the part of the writer of a libel to indemnify the printer of it, against any damage he might sustain for printing, could not be enforced. Even if a bond were taken that would be void.

—

The following is from the Cincinnati Mirror. It is part of the field notes of the surveyor as returned to the office of the surveyor general. The officer is describing a township of land in "the Indiana state."

"The greater part of what lies northwest of the river, though it was hard frozen when we were there, is just a lake of stagnant water, most of it apparently deep. And that part of it called river, (for truly speaking it is all river) is filled with grey ash, birch, maple, willow, black alder, and rose briar bushes, as thick as hair on a dog's back, and as well matted together as the wool on a negro's head. The larger timber is more than half of it dead or dying, and falling on the awful mass of vegetation below, and under, through and all about the whole; is water from one to two feet deep, sending up the most abominable stench, and the whole is supplied with a goodly number of the most execrable water animals imaginable. The very thought of it makes my blood run chill!"

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The "Richmond Enquirer" thus speaks of Mr. *Rucker*, of Tennessee. His act was, certainly, in bad taste! But the committee that examined the "credentials" of the members of the convention, were more to blame than he. He wished to make himself known, and be placed in the road to preferment*—and took a short cut, as he thought, to do both.

"The vote of the spurious Tennessee delegate has been the subject of repeated notice in the papers of both sides. It has called forth indignant remarks from a delegate to the Baltimore convention. Mr. R. was no delegate from Tennessee, by his own confession—and he ought to have scorned, therefore, to take a part in its proceedings. He admits, that he did not pretend to give any vote on the part of Tennessee, until the committee had examined the credentials, and reported the names of the members, without receiving any certificate from himself. In truth, he had none to offer—and if any objection had been made to his votes, he might have been expelled as an intruder. This whole proceeding, on the part of Mr. Rucker, is without justification, as it is without precedent."

—

Meetings of the people are holding, at various places, favorable to the election of gen. *Harrison*, as president of the United States. At the 11th ward, in New York, it was said of him—

Mr. Madison, in his message to congress, in speaking of the importance of these victories, observed, "This result is signally honorable to major general Harrison, by whose military talents it was performed." Its effect, he continued to remark, was to "relieve an extensive region of country from a merciless warfare, which desolated its frontiers and imposed on its citizens the most harassing services." The honorable Mr. Cheves, on the floor of congress, in alluding to the memorable battle of the Thames, remarked—"*The victory of Harrison was such, as would have secured to a Roman general, in the best days of the republic, the honors of a triumph.*" It has been justly remarked by a distinguished political writer, when referring to the able official account of this victory by general Harrison—"He does justice to every one except to himself; and the country must, therefore, do justice to the man who was too modest to be just to himself."

—

The following from the "*Mercer Press*" a Pennsylvania newspaper, presents a view of the ensuing election very different from the article inserted in our last, from the *Harrisburgh Intelligencer:*

"It is estimated by those who have the best means of acquiring information, that George Wolf, backed by his office-holders, cannot carry more than 30,000 of his old votes. To this may be added about 15,000 whig votes that supported Ritner in 1832—thus giving him about 45,000 votes in the state. Henry A. Muhlenberg will get about 60,000 democratic votes that were given in 1832 for Wolf—add to this 30,000 votes in the German counties that were give to Ritner, thus swelling his vote to about 80,000, and enabling him to beat Ritner somewhere in the neighborhood of twenty, and Wolf thirty thousand."

The cause of Henry A. Muhlenberg—of the democratic party—is onward and upward. From almost every part of the commonwealth our information is in the highest degree cheering, and leaves no doubt of the triumph of democratic principle over disorganization and bankism. How could it be otherwise in the key stone state, whose sterling democracy is so proverbial? There is but one democratic candidate in the field—but one anti-bank candidate—and the democracy of Pennsylvania will never mistake their man when such questions are to be decided by the vote of the people. Never, never!—they know their position too well to fall into such an error.

—

A correspondent writes: "Standing at my door in Arch street on Saturday, to witness the parade of the Boston Fusiliers, I was greatly pleased, indeed interested, with an incident which occurred at the corner of Fifth and Arch streets. It is, I presume, generally known that the remains of our illustrious countryman, FRANKLIN, are deposited in that spot, and that he was a native of Boston. When the company arrived at this place, they halted, and, assisted by their fine band of music, paid a mournful compliment to the deceased, and then continued the march. It was the more impressive as it was unexpected. It is gratifying that sometimes 'the *good* which men do lives after them;' though their memory may not be emblazoned on gorgeous monuments of art—but will ever survive in the grateful hearts of a virtuous people. Thus may it ever be with us, for while such feelings prevail, we need not despair of the republic."

[*Philad. Inq.*

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The "Buffalo Advertiser" has the following account of the late belligerent vessels on the lake—

The Queen Charlotte. This trophy of our nation's victorious arms, now lying in our harbor, attracts much attention. We understand she is to be finished in about a fortnight, when she will take her place in the "Eagle line" of Chicago packets, now running by Messrs. Pratt, Taylor, & Co. Her after-cabins are fitting up in a superiour style, and are arranged in state rooms, with two berths each. Her forward cabins are also commodious, and well calculated for the accommodation of emigrants.

The Queen Charlotte seems to have sustained but little damage by her long submersion. Her timbers, which are of *English oak*, were framed at Liverpool, and sent to Malden, near Detroit, where they were put together: they present, even after this lapse of time, a fabric of uncommon strength. Her length of deck is 96 feet; breadth of beam, 25; depth of hold, 12; burden, 300 tons.

The *Lawrence* and *Detroit*, which are yet to be raised from their bed in the harbor of Erie, are to be up the ensuing fall, and may be looked for in our waters early next season. The Lawrence is 25 feet longer than the Queen Charlotte, and is to be ship rigged. The Detroit will be ship rigged like the latter vessel.

The Queen Charlotte is commanded by capt. Cotton, and owned by Pratt, Taylor & Co. and capt. Miles.

—

Hastur M. Childers, esq. of the parish of Carroll, Louisiana, died on the 12th of December last. The New Orleans Bulletin gives the following extracts from his will:

Having entire control of the following negroes, namely, Pat and family, and as many others as may come to my share in the division of the personal property* between my wife Matilda and myself, to be emancipated, as soon as provision can be made by the legislature of the state, and conveyed to Liberia, my

*Several members of the convention have already received an acknowledgment.

*About thirty negroes.

wish is that they shall be furnished from my estate with tools, provisions and good common clothing sufficient to last them one year, also the passage money. My body servant Lewis, and sore neck Fanny, I wish to have bought, if they should not fall to my lot, and be emancipated, and five hundred dollars to be given to each. I do appoint Horace Prentiss and James H. Hicks to make the necessary provision with the Colonization society for the embarkation of the aforesaid negroes. I wish to have Martha Sellers to have given her five thousand dollars, provided she live to the age of maturity—to Narcissa J. Hewlett one thousand dollars for her name that was given to my daughter, who is now no more—to the parish of Carroll two thousand dollars—to my mother Dicy Harris, an annuity of five hundred dollars a year during her life time: her son Hutson Harris a donation of four thousand dollars—to the Female Orphan Asylum of New Orleans ten thousand dollars, as a donation—the balance, more or less, to the American Colonization society, for the purpose of shipping off the free blacks to Liberia.

It is my wish that Horace Prentiss, James G. Hicks and William Henderson, of Warrenton, be my executors.

☞The work goes on nobly. *Liberia* begins to feel her strength—and when fully able to receive emigrants, will have them in great numbers, by the benevolent acts of individuals—and *there*, we hope, will be erected a monument to American philanthropy, that will endure long after the calumnies of O'Connell are forgotten. We are, and always have been, decidedly opposed to slavery, let it be presented in what shape it may; but being satisfied that large masses of colored population cannot safely exist with a white one, we heartily subscribe to the following proceedings—

The people in Kentucky are moving on the subject of slavery. At a meeting recently held in Shelby county in that state, the following resolutions were, after considerable discussion, passed without a dissenting voice:

Resolved, That the system of domestic slavery as it now exists in this commonwealth, is both a moral and a political evil, and a violation of the natural rights of man.

Resolved, As the opinion of this meeting, that the additional value which would be given to our property and its products by the introduction of free white labor, would in itself be sufficient, under a system of gradual emancipation, to transport the whole of our colored population.

Resolved, That no system of emancipation will meet with our approbation, unless colonization be inseparably connected with it, and that any scheme of emancipation which will leave the blacks within our borders, is more to be deprecated than slavery itself.

Resolved, That it is believed by the present meeting, that the time has arrived for the people of Kentucky to call a convention, with a view of providing for the prospective emancipation of slaves, and for other purposes.

We would wait, also, the result of the experiment that Great Britain is making in her West India colonies—for, with all her mighty means, we fear that it will fail, and end in the destruction of those whom it was intended to preserve.

—

Joseph Clark, after having been forty-five years treasurer of Rhode Island, was, at the age of 70, nominated for governor; he declined, assigning the following reasons:

"As I have enjoyed a good character among my fellow citizens all my life, as is proved by their choosing me their treasurer more than forty years, I have no notion of losing it now, in my old age, *by being set up for governor!*"

—

It has been said that the early settlers of New England would not brew beer on Saturday, because it might "work" on Sunday. But the following notice by the collector of a R. C. church in New York shews another extremity in this respect:

Pew rents—Those persons indebted for pew rent in St. Peter's church, would much oblige the undersigned, by calling on him, with their respective accounts on Sundays at the church, or on week days at his residence, 64, Duane street, between Elm street and Broadway

The difficulty of meeting many of them at home is, in a great measure the cause of this request.

Nov. 22. CHAS. McDERMOTT, *collector.*

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Receipts of cotton at the following places since 1st October:

Savannah, June 11	197,592
Charleston, June 5	179,528
New Orleans, May 30	491,429
Mobile, May 30	191,185
Apalachicola, May 2	35,000
Virginia, May 23	28,085
Total	1,123,119

The following is a statement of the stock of cotton on hand, at the respective places named:

Savannah, June 11	16,125
Charleston, June 5	17,756
Augusta and Hamburg, June 1	13,251
Macon, Ga. May 12	700
Mobile, May 30	11,163
New Orleans, May 30	78,699
Petersburg, Va. May 23	3,900
Philadelphia, May 25	2,300
New York, May 23	66,900
Total	209,994

—

It is probable that another *valuable* arrival has happened—of an English *magistrate*, who had committed forgeries to the amount of £25,000 sterling, and fled to America, leaving twelve children behind him, entirely friendless. His name is Robert Orris.

—

When, on the death of the empress Catharine, Paul ascended the Russian throne, he went, accompanied only by his two eldest sons, the grand dukes Alexander and Constantine, to the castle in which state prisoners were confined, released Kosciusco, and in the following words did homage to his virtues: "I restore to you your sword, general, asking you to pledge your word never more to use it against the Russians." Kosciusco is said to have declined the sword, saying, "I need none, having saw no mother-land;" but pledged his word as to the price of his liberty. The Czar then inquired whither the released prisoner would go! To which Kosciusco firmly replied, "To America, where I shall find brothers in arms and glorious recollections."

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MR. SPEAKER BELL. The Nashville Banner of the 15th inst. contains the speech of Mr. *Bell* delivered at the public dinner recently given him at Nashville. It occupies nine columns of the Banner in close type. It is a complete and thorough expose of the secret operations, the plans, movements and machinations of the party now in power. We have room to-day only for the following extract, which terminates the speech:

I have already said, that *party* is the only source whence destruction awaits our system. I am so fully and solemnly impressed with this truth, that were I asked, what I considered the first great duty of an American statesman, at this time, I would say, guard against the excesses of party. If I were asked what I considered the second, I would answer, guard the excesses of party—and were I asked the third, I would still say guard the excesses of party. Every thing else may be safely and confidently left to the free and natural action of our system. These are the dangers to be apprehended from the *spirit of party*, in its ordinary modes and forms. But when its spirit shall receive an organic existence—thus giving rise to a system within a system, not subordinate, but superior to and designed to control the natural operation of the regular, lawful and constitutional government of the country; when thus organized, and, I may say, personified spirit of party, no longer fed and sustained by the only safe and legitimate aliments of principle and a high souled emulation and competition for the honors of a free country, but, addressed to and relying for its support, upon the selfish and mercenary passion of our nature shall become the prime interest, and the country but a secondary one; when it shall be thought more perilous to a man's fame and prospects, to desert such a party, than to conspire against the interests, the glory and the liberties of the country; when a decent regard to consistency—when the first principles of a free government—when the sacred obligations of truth and justice are required to be yielded up a sacrifice to the *unity* of such a party, then, I proclaim to you, and to the world, that the spirit of evil which is in party is predominant. (Great cheering.) Those who would guard the public liberty and our free institutions from pollution and overthrow, must range themselves under a different standard. (Cheering.) When *party* is the watchword and the ensign of those who fight for the spoils, the warning voice of patriotism says to every freeman, to every White man, inscribe YOUR COUNTRY upon your banner, and "*in hoc vince.*" (Tremendous applause.)

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THE FOREFATHERS' ROCK ENCLOSED. It affords the highest satisfaction to announce that the long desired protection of the Forefathers' Rock is at length completed, and it may be pronounced a noble structure worthy of the purpose intended. The fabric is a perfect ellipse, 41 feet in circumference, consisting of wrought iron bars five feet high, resting on a base of hammered granite. The heads of the perpendicular bars are harpoons and boat hooks alternately. The whole is embellished with emblematic figures of cast iron. The base of the railing is studded with emblems of marine shells, placed alternately reversed, having a striking effect. The upper part of the

railing is encircled with a wreath of iron casting in imitation of heraldry curtains, with festoons; of these there are 41 bearing the names in bas relief of the 31 puritan fathers who signed the memorable compact while in the cabin of the Mayflower, at Cape Cod in 1620. This noble acquisition reflects honor on all who have taken an interest in the undertaking. In the original design by George W. Brimmer, esq. ingeniousness and a fine taste is displayed; and in all its parts the work is executed with much judgment and skill. The castings are executed in the most improved style of the art. This superb memorial will last for ages, and the names and story of the great founders of our empire will be made familiar to the latest generation.

[*Old Colony Memorial.*

VIADUCT OF THE PROVIDENCE RAIL ROAD. It is already known that one track of the Boston and Providence rail road is completed through, with the exception of the viaduct at Canton. The locomotives were put on at both ends last week. We happened a few days ago to be at Canton, and of course took care to view the viaduct. It is a splendid work, which might in the days of yore, have done honor to the enterprize of an emperor. But now, private efforts accomplish such things without parade. The viaduct is to carry the road over a ravine of about six hundred feet, and in the centre near seventy feet deep. It is built of stone blocks, procured at the distance of half a mile, and drawn to the ground on common carts and wagons, and then rough hewn into regular shapes. It is a continuous wall, with the exception of six or seven ground arches, which pass a mill-pond at the bottom of the ravine. On each side of the wall are ribs or pillars from the bottom, projecting two or three feet, at intervals of twenty or thirty feet. On these, arches are sprung laterally with the main wall, which will have the effect to give sufficient breadth for the road, at the same time that they increase the beauty of the architecture. The two upper tiers of stones are to spread across the arches, and above are to be raised parapets completing the work. The work is going on rapidly, but must necessarily occupy some weeks before its completion. In the mean time the cars run to the commencement of the viaduct on each side, where passengers and baggage have to be taken down the bank and then up again; a process of no great difficulty. *Journal of Commerce.*

LIABILITY OF POSTMASTERS. The Philadelphia Times has the following:

"The proprietor of this paper, last week, recovered judgment against a postmaster for a paper not taken from his office of which he neglected to inform him. All postmasters who do so, render themselves liable, and ought to be held accountable."

Every editor ought to publish this conspicuously, as well for the benefit of postmasters as of *themselves.*

GREAT SHIP. The following particulars in relation to the "big ship," the Pennsylvania, now on the stocks at the Philadelphia navy yard, have been communicated for publication by a sail maker in the U. S. navy. Some of the newspapers have suggested that the government establish a school for the instruction of apprentices as seamen—and if the suggestion should be thought worthy of consideration, might not the Pennsylvania be fitted out for the express purpose of aiding in the plan.

210 feet lower deck;
220 " 8 in. length aloft;
190 " length of keel for tonnage;
56 2 inches, moulded breadth of beam for tonnage;
59 feet do. do. do. outside of wales;
23 " depth of hold;
46 " extreme depth amid ships;
3,212 tonnage; guns, 140;
18,341 yards duck, one set of sails;
14,624 do. bags, hammocks, boat sails, awnings, &c.;
total 32,965 yards;
11 inches shrouds;
19 do. main stay;
278 feet mainmast—93 yards 1 foot;
110 " main yard;
88 " topsail yard;
52 " top gallant yard;
36 " royal yard;
10,000 lbs. sheet anchor;
25 inches do.
1,531 yards main topsail. [*Penn. Inquirer.*

The Turks have built a ship that is larger than this, which has been launched, and is fitting for sea. The following is a description of her, by com. *Porter*—

I visited every part of the ship. She is larger than our Pennsylvania. The carpenter's work and the materials of which she is composed, are not equal to those of our ships, but when I say we have not a ship in our service, whose ornamental parts, equipments, and outfit are at all to be compared to those of the Mahmoud, as regards richness, elegance, utility and expense, I say no more than the truth. Her batteries will consist of one hundred and forty guns, of calibres from five hundred pounds downward. On her main deck she is to carry four of this description, the rest are to be forty two pounders. Every gun on board is as bright as burnished gold; her gun carriages are absolutely cabinet work; all the iron work about them is like polished steel, and the brass work, of which there is much, corresponding therewith. The beautiful polish of the rich and costly woods of which the ceiling, sides and bulk-heads of her cabin are composed, strikes the eye with a dazzling magnificence. The floors are covered with the same woods laid in a kind of Mosaic. All the rest of her equipments, which are in a high state of forwardness in the storehouses, are in the same keeping; and when all are put together, and the Mahmoud is complete, the Turks will have it in their power to boast of the largest and most splendid ship in the world.

FOREIGN NEWS.

London papers of the 19th May, containing Paris dates of the 17th, received at New York—

GREAT BRITAIN AND IRELAND.

There were various reports of trouble among lord Melbourne's ministers. The marquis of Wellesley is said to have resigned the office of lord chamberlain. It is also stated that the earl of Albemarle has resigned the mastership of the horse; but the Sun contradicts this latter report. A London paper of the 19th gives the following note from a correspondent from the house of commons:

House of commons, half past one o'clock.

Great commotion prevails here—all the committees are in confusion—and the order list is so made out that it appears to be the intention to have no house to night. As two election committees must be ballotted for, it is scarcely possible to avoid this, but every effort will be made. The reason assigned for this *emeute* is, that Mr. Spring Rice, after declaring that he cannot lead the house, has resigned.

The Times states that on being asked whether the report of his resignation was true, the marquis of Wellesley replied "that he had not resigned from any inability to execute the duties of the office, but because, if he retained it, he must support lord Melbourne's administration, and this, as a man of honor, he *could not do*, it being evident to him that the government of Ireland had been delegated by lord Melbourne, or through some *irresponsible* colleague of the noble lord, into the hands of Mr. O'Connell."

In the house of lords on the 18th, the earl of *Wilton* presented a petition, signed by 10,512 persons, inhabitants of Manchester, in support of the independence of the house of peers, and praying their lordships that they would not consent to any measure calculated to weaken the temporal and spiritual capacity of the church of England and Ireland. At the head of the multitude of signatures to the petition, was that of a gentleman of large landed property and great independence of character, who was himself a Roman Catholic.

Lord *Morpeth* took his seat in the house of commons on the 18th of May—amidst the cheers of the whig radicals. It is stated in the Morning Chronicle of the 19th, that lord John Russell subscribed five hundred pounds toward the expenses of lord Morpeth's election.

No doubt was entertained of the triumph of *lord John Russell* in the——borough of Stroud!

FRANCE.

Paris papers and letters are to the 17th of May, inclusive. They contain not one syllable respecting the American question, which has therefore, not yet been called up for consideration in the peers;—and as this body has taken upon its hands another serious matter, before having disposed of the great political trials, upon which it has been engaged for some time past, it is quite uncertain how soon the indemnity bill will receive its final disposition.

The matter alluded is the trial of many persons for political offences, of various descriptions—which will, probably, bring about much difficulty, and cause a great excitement, without producing any possible good. If found guilty, it seems agreed that they will be pardoned.

SPAIN AND PORTUGAL.

There is no important news from either kingdom. Things remain as they were. We have, however, the following report concerning Spain—

Peace, it is stated, is at length to be restored to this unhappy country, on the footing of a marriage between the eldest son of Don Carlos and the queen, the maintenance of the estatuto real and the integrity of the northern provinces. Of the particulars it may be premature to speak confidently, but the fact itself is too probable to need much confirmation; for nothing is more reasonable than that both parties should be tired of a war in which little was gained on either side but disgrace, and of which the most certain thing that could be predicted appeared to be that it never would come to an end.

BELGIUM.

Much indignation, as well as surprise, exists, because of an unexpected decree of the king closing the sessions of the senate and house of representatives, for reasons that do not clearly appear. It is said that the chamber, manifested the utmost astonishment and indignation. A scene of uproar ensued when the minister had ceased reading the decree; the greater part of the members rose and surrounded the tribune, and vented their feelings in the most noisy and unequivocal manner, so as to drown the voice of the president, whose authority was unable to preserve order. The meeting was put an end to amid great confusion.

LATER NEWS.

We have London dates to the 26th and Paris of the 24th May. The money market at London seems in a feverish state, especially as to Spanish bonds. Consols 91¾.

Mrs. Hemans, the celebrated poetess, had died at Dublin, after a long and painful illness, which she bore with much resignation and piety.

There is not a word from France on American affairs. Much excitement existed in the chambers concerning the state prisoners.

There are various and contradictory, and unsatisfactory reports from Spain.

In the house of commons, Mr. Sinclair wished to know when the consideration of the Irish tithe question was to be brought on. Lord J. Russell could not fix a day, but the measure would be brought forward shortly after Whitsuntide.

The marquis of Chandos then rose to call the attention of the house to the present distressed and depressed state of agriculture; and in the course of his speech, suggested the repeal of agricultural taxes and other measures of relief for that body, and concluded by moving an address to his majesty, praying that his majesty's government would direct its attention to the best mode of affording relief to agriculture.

Lord Darlington seconded the address.

Lord John Russell contended that the motion of the noble marquis was uncalled for, that the new poor law bill and other measures recently adopted, would go to relieve to a considerable extent the agricultural interest, and that the government were adopting every means within their power to add to that relief. He concluded by moving as an amendment, "That the house would direct its attention to the report of the committee which sat last session to consider the subject of county rates, with a view to giving relief to local and county burthens."

Mr. Cobbett ridiculed the idea of the farmer being relieved by the operation of the poor laws, which had the effect of increasing the agricultural distress. Nineteen out of twenty of the farmers were in a state of insolvency, and unless something was done for their relief, the most ruinous consequences must follow.

Sir R. Peel would support the amendment, being convinced that the government, with a surplus of £250,000 only, were not in a situation to extend efficient relief to the agriculturists. He recommended that the surplus should be applied to a reduction of the auction duty, the duty on glass, and to the reduction of the land tax.

After some further debate the house divided: For the amendment 211; for the marquis of Chandos' motion 150; majority against the motion 61.

The demand for British manufactures, generally, is very active—and the working people contented.

The French forces in Algiers were to be kept up, in all their efficiency.

Letters from *Persia* bring accounts that the greatest anarchy prevails in that country. Mohamet Mirza has appeared at the head of 60,000 men and 60 pieces of cannon, before the gates of Teheran, where he proclaimed himself king. Prince Shah, governor of the town, wished to oppose his entry, but was obliged to retire, owing to Ali Yankhan, general of his army declaring in favor of Mohamet.

MEXICO.

Great excitement is said to prevail in *Matamoras* among the foreigners in consequence of the imprisonment of Messrs. Boyd & Lee, American merchants, and the subsequent harsh treatment they received. The Mercurio of Matamoras says that a few days before, the parish priest, while conveying the sacrament in the usual cortege to the house of a sick person, was met by the above named gentlemen, who did not pay to the procession those marks of reverence which are customary. The priest, irritated, appealed to the spectators, ordering them to seize Messrs. Boyd & Lee, and throw them into dungeon, which was done without the least hesitation on the part of the people, or interference on the part of the magistrates. [And this a republic!]

LATEST NEWS.

London papers of May 30.

There was a great pressure for money at London, and a great want of confidence prevailed. All sorts of reports were in circulation—chiefly that the assistance demanded by Spain would be granted by France and England. Instant aid is required by the queen regent. A general war is feared, if it should be afforded. There is to be a meeting between the emperor of Russia and king of Prussia, in Silesia.

France will aid Spain with 50,000 men; and England supply her with munitions of war.

BRITISH ANTI-SLAVERY SOCIETY.

From the New York Commercial Advertiser.

The British anti-slavery society celebrated its anniversary for 1835, at Exeter Hall, London, on Friday the 14th of May—Lord Brougham in the chair. He (Lord B.) made an eloquent and stirring speech on the occasion in which he spoke earnestly against the conduct of France and the United States, on the the subject of slavery. Mr. Fowell Buxton followed in a short speech, and was succeeded by Mr. George Stephen, who also adverted to the conduct of the U. States. His speech, however, was chiefly devoted to the condition of the soon emancipated slaves in the West Indies, under the new system of apprenticeship; and if the one-half of his disclosures are true, Mr George Thompson ought to be recalled from this country by the snuff-taking spinsters of Glasgow, to deliver lectures on humanity to his own countrymen; or rather he should be despatched to the West Indies, where the evil exists, instead of prowling about New England, for the purpose of inflaming the passions of the people, where a slave has not been seen these twenty years, against their brethren of the south—for most certainly the slaves of the southern states are in a far better condition than the emancipated negroes of the British colonies. The statements of Mr. Stephen were confirmed by Mr. Buckingham.

The meeting was next addressed by the rev. John Burnett. And he in turn was succeeded by Mr. O'Connell, who uttered a second edition* of his calumnies upon the people of the United States, with increased vehemence and bitterness. According to the report of the Morning Chronicle, "he began by adverting to slavery in America, *on which country he pronounced a most bitter philippic.*" He "denounced *the Americans* AS MEN WHO WERE A DISGRACE TO HUMANITY;" and declared "*that the Americans* HAD FORFEITED ALL TITLE TO BE CALLED MEN OF HONOR, OR TAKE A PLACE IN THE SAME GRADE OF SOCIETY AS THE PEOPLE OF ENGLAND." We will not, however, confine ourselves to detached sentences of the agitator's harangue. The following passage is from the extended report of the London Christian Advocate, of May 16—and we commend it to the particular attention of the getters-up of the O'Connell guards:—

"The honorable and learned gentleman then proceeded to speak in terms of severe censure of the conduct of the Americans, in continuing to keep in bondage the black population in many of their states. It was disgusting to every lover of reason and justice and true liberty, to hear them boast of their democratic principles and institutions, without a blush at the recollection of their bondsmen. *They were traitors to liberty, to honor, to consistency.* They nullified the proudest sentiment in their immortal declaration of independence, which declared all men to have equal, sacred and inalienable rights. (Cheers.) *He did not wonder at the death plagues of New Orleans, or the devastation of its people, many of whom enjoyed health and vigor at morn, and were lifeless at noon, when they had committed or countenanced crimes which could only be registered with the annals of Nicholas and the curses of Poland.* The honorable and learned gentleman read several extracts from an American act of parliament, in which it was enjoined that no judge, member of parliament, barrister or preacher, should speak or write any thing against slavery, under the pain of being sentenced to not less than three years and not more than twenty-one years imprisonment or, death, at the discretion of the court!!! And that no American should teach a slave to read or write, under pain of not less than three months, and not more than twelve months imprisonment. (Hear, hear.) *The honorable and learned gentleman flung this black dishonor on the star spangled banner of America—in vain did it wave over every sea, proclaiming the honor of the boasted republic of modern times*—THOSE WHO FOUGHT UNDER IT WERE FELONS OF THE HUMAN RACE—(hear, hear), TRAITORS TO LIBERTY, TO THEIR OWN HONOR AND BLASPHEMERS OF THE ALMIGHTY. "*The red arm of God,*" *continued the honorable and learned gentleman, "is bared; and let the enemies of those whom he died to save, the black man as well as the white man, beware of its vengeance. The lightning careers through the troubled air, resistless amid the howling of the tempest and the rolling of the thunder.*"

☞And is it proposed to form a regiment at New York, to be called the "O'CONNELL GUARDS," after that foul tongued and gross calumniator'—who seemingly rejoices that the pestilence has prevailed at New Orleans; and calls those who combat under the "star-spangled banner," "felons of the human race," &c. Would he *dare* so to speak—face to face? No—no—he would not! He well knew that none of those were present to hear him, and that he was secure in his abuse of the whole American people. But does he not know that the pestilence has prevailed as well in *Ireland* as in Louisiana—and that many more of *his own* subjects have fallen victims to the disease than with us—that it first came with *Irish* emigrants to Quebec, or, at least, abounded with them? And with what impudence and presumption, do s he undertake to pronounce the judgments of God! If the matter be fairly represented, it is *O'Connell*, himself, that is *the* "felon of the human race" and "a blasphemer of the Almighty"—for he has committed a rank and gross outrage upon us on account of a circumstance that the government of his own country inflicted, and which there is no way to relieve ourselves of other than

* The following is an extract from the first edition, being a speech of O'Connell's delivered about two years ago:

"When an American comes into society, he will be asked, are you one of the THIEVES or are you an honest man? If you are an honest man, I can only have given liberty to your slaves, if you are among the THIEVES, the sooner you take the *outside of the house*, the better!"

that which is pursued. There are many more white slaves in Ireland, than black ones in America—and more misery and crime.

We cannot see any excuse for his repeated attacks upon us. They are in the wantonness of an "unruly tongue"—as ungenerous as unjust. We might, in like manner, prefer general charges against *his* people—but would rather make excuses for them, in all possible cases, and fasten on the government those offences and vices of which ignorance is the parent.

—

O'CONNELL AND THE AMERICANS.

To the editor of the Morning Chronicle.

SIR: In your paper of this date you have given, as was to be expected, a *brief report* of a long harangue I made at the anti-slavery meeting. I wish—despite of my oratorical vanity—it had been still shorter—for you should have omitted the phrase—"the Americans were the basest and vilest of mankind."

I say you should have omitted those words, as you had not space to give the context. It is quite true that I did use a phrase of that strength and distinctness, but I did use it not of the Americans generally, or universally, but of one class of Americans only; namely, the possessors of slaves.

I should indeed be sorry to include all Americans within the pale of degrading criminality which belongs to the beings who call themselves the owners of their fellow creatures and who treat as property their fellow men; their fellow men who are their equals in every thing but wealth, education and crime.

Of the two first, the American slave holder basely robs the men of color. The crime is the guilty appanage of the American white man who countenances slavery in any shape or form.

Can you afford me space to give in a condensed shape, my principal argument? It was this. The Americans, by their great charter, the Declaration of Independence, by which they established themselves into a nation, declare "that all men are by nature equal, that they are endowed by their Creator with certain inalienable rights; amongst which are life, liberty and the pursuit of happiness." To the maintenance of this declaration, they, after an invocation of Providence, pledged their "lives, their fortunes and their sacred honor." Thus adding all the chivalrous obligations of honor to the most solemn sanction of an oath.

Think you not that this oath is registered in heaven to confound the vile and degraded traffickers in human slavery? Yes—this solemn vow upon oath and honor, is daily, hourly, continuously violated by the American slave proprietors; and although, in despite of its solemnity and sanction, the American slave owners keep in bondage two millions and a half of men, yet they must not dare to hope that they can escape the indignation and the contempt of the virtuous and good all over the globe. I have the honor to be your most obedient serv't.

DANIEL O'CONNELL.

9 Clarges-st. May 16, 1835.

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OBSERVANCE OF THE SABBATH.

Mayor's office, (New York), June 26th, 1835.

To the citizens of New York:

The disturbances which have recently occurred in this city, render it my duty to call your attention to the provisions of the laws relating to a proper observance of the Sabbath. The reputation of this community, as an enlightened and moral people depends upon the due observance of the laws, and upon evincing, at all times, a proper respect for the civil institutions by which we are governed.

Among the provisions of the statutes which relate to this city, all persons are prohibited from frequenting tippling houses on the first day of the week, called Sunday; and from engaging on that day in any labor or pastime, which shall disturb others in their observance of the first day of the week as holy time.

The attention of the keepers of public houses is especially required to the following extracts from the laws:

"No keeper of an inn or tavern, or of an ale house, or grocery, nor any other person authorised to retail strong or spirituous liquors, shall on Sunday sell or dispose of any ale, porter, strong or spirituous liquors, excepting to lodgers in such inns or taverns, or to persons travelling on that day in cases allowed by 'law.'"

There can be no doubt that the neglect of a due observance of these salutary provisions is a prolific source of disorder and interruption of the public peace.

Now, THEREFORE, by and with the advice and consent of the aldermen and assistant aldermen of the several wards, I issue this notice, calling upon all good citizens to pay proper respect and obedience to the laws. I do further require all inspectors and Sunday officers to be vigilant and active in the discharge of their duties, and to give immediate notice of all violations of the laws in respect to the sale of ardent spirits or intoxicating liquors on Sunday, to the aldermen or assistant aldermen of the ward in which the offence is committed.

In all cases of an infringement of the laws on this subject, information may be given at the mayor's office, to the end that the offenders may be punished, and proper measures adopted in pursuance of the following provisions.

"It shall and may be lawful for the mayor of the said city, in conjunction with the alderman and assistant alderman, to hear and determine, in a summary way, any complaint which may be preferred against any tavern keeper, grocer or keeper of any ordinary or victualling house, or public garden, in the ward in which such alderman and assistant alderman may reside, for any offence in the premises, and in case they shall judge it proper to deprive such person of his license."

Believing the general peace and welfare of the community to be dependent in a great measure on the right observance of the laws, I hereby announce the determination of the magistrates to enforce these salutary provisions, and to punish every offence which may be substantiated before them.

C. W. LAWRENCE.

N. B. The attention of the parties interested, is called to the fact, that selling "wine, strong or spirituous liquor, to be drank in any house, out house, yard or garden, without license," is declared, by act of the legislature, a "misdemeanor, and shall be punished, by fine and imprisonment, or either, at the discretion of the court having cognizance of the offence."

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LEGISLATURE OF RHODE ISLAND.

A resolution, offered by Mr. *Hazard*, has been laid on the table of the house, for the appointment of a committee to inquire—

First—Whether the powers reserved to themselves and to the people, by the states, in forming the constitution of the United States, have remained unimpaired.

Second—Whether the checks and barriers provided by the constitution to secure and perpetuate to the people the enjoyment of a free republican government; and to guard against the monarchical tendencies to which all governments are prone, however popular their forms, have proved adequate to these objects. And especially, whether the powers vested by the constitution in the senate of the U. States—in which branch of the government the small states are represented equally with the large, as an indispensable safe-guard to their equal rights, as independent states, have been respected and preserved from all unconstitutional interference, evasion or encroachments.

Third—Whether the provisions of the constitution intended to guard and secure the freedom of the press and the free exercise of the right of suffrage, have remained unviolated.

Fourth—Whether the time has arrived, when it has become necessary for the states to provide further checks and securities for the preservation of the constitution in its original strength and purity.

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The Providence Journal says—The whig state convention, which was held at Newport on the 24th ult. nominated by a unanimous vote, the hon. *Tristam Burges*, of Providence, and *Henry Y. Cranston*, esq. of Newport, as candidates for the 24th congress.

Joseph L. Tillinghast, esq. of Providence, introduced the following resolutions:

Resolved, That it is expedient now to nominate, and recommend to the freemen of this state for their support as a candidate for the office of president of the United States, a man who merits and enjoys the unqualified confidence of the friends of the constitution, of the union, and of the freedom, safety and welfare of the republic, throughout our common country.

Resolved, That in the opinion of this convention, Daniel Webster is emphatically such a man, and we do therefore nominate and recommend to the good people of this state, *Daniel Webster* as a candidate for the presidency in the next ensuing election of president of the United States.

Which resolutions were unanimously adopted.

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TONNAGE OF THE UNITED STATES—1834.

From the Boston Commercial Gazette.

The entire tonnage of the United States on the 1st January, 1834, was 1,606,150—and that of several of the largest states, which we have taken the trouble to foot up, in order to ascertain their separate amount, will be found as follows:

Massachusetts	467,639
New York	340,758
Maine	225,360
Pennsylvania	92,244
Maryland	87,531
Louisiana	60,904
Connecticut	54,426
Virginia	50,419
Rhode Island	44,793
North Carolina	38,326
New Jersey	38,867

Principal cities and towns.		*Principal cities and towns.*	
New York	323,734	Belfast	22,647
Boston	189,394	Norfolk	21,893
Philadelphia	79,550	Newburyport	23,535
New Bedford	76,850	Plymouth	19,664
Nantucket	64,545	Providence	19,214
New Orleans	60,904	Portsmouth	18,810
Baltimore	50,109	Bristol, R. I.	16,390
Portland	49,012	District of Columbia	16,376
Bath	42,774	Passamaquoddy	15,926
Salem	31,677	Gloucester	14,588
Barnstable	30,540	Wilmington, Del.	13,970
Waldoboro'	30,111	Wilmington, N. C.	12,116
New London	27,870	Charleston, S. C.	12,981
Penobscot	26,794		

Massachusetts, as it will be seen, although but the eighth state in point of population, proudly takes the lead in the amount of her shipping—and Boston, in proportion to her population, owns very nearly double as much as the great commercial emporium of New York. Philadelphia is rather losing ground in this respect, and Baltimore is rapidly falling off—so that in the course of a year or two the flourishing little town of New Bedford will inevitably take rank of both of them. In 1810 the tonnage of Philadelphia was 121,443, and Baltimore 102,434, or more than double the present amount. What can possibly be the reason of this great falling off? Let it be what it may, there is no mistake at all about Baltimore in other respects, and if she finds it more to her advantage to employ her shipping than to own it, she at least comes in for a share of the enterprise and business transactions of the country.

There were built in the United States during the year ending the 31st December 1833, 1,188 vessels, 144 were ships, 169 brigs, 625 schooners, 185 sloops, and 65 steamboats; principally as follows:—

	Ships.	*Brigs.*	*Schrs.*	*Sloops.*	*S. boats.*	*Total.*
Maine	37	99	167	13	0	316
Massachusetts	54	30	99	12	0	195
New York	26	7	44	43	7	127
Maryland	8	10	152	7	4	181
New Jersey	0	2	26	50	0	78
Connecticut	3	7	23	22	1	56
Virginia	1	0	42	3	0	46
Pennsylvania	7	3	3	5	25	48
North Carolina	1	0	38	0	0	39
Ohio	0	0	2	6	20	28
Of which there were built in						
New York city	26	7	36	39	5	113
Boston	30	20	24	4	0	78
Bath	15	17	20	0	0	52
Baltimore	8	10	27	2	4	51
Portland	8	13	17	4	0	42
Philadelphia	7	3	3	5	1	19

These of coure include the whole district. Boston, for instance, includes Charlestown and Medford, and Bath includes the Kennebec.

The greatest importing states are New York, Massachusetts, Louisiana and Pennsylvania. The greatest exporting states are Louisiana, New York, South Carolina and Massachusetts.—They rank as follows:

	Imports.	*Exports.*
New York	$73,188,594	$25,512,014
Massachusetts	17,672,129	10,148,820
Louisiana	13,781,809	26,557,524
Pennsylvania	10,479,268	3,989,746
South Carolina	1,787,267	11,207,778
Connecticut	384,729	425,416

RIGHTS OF PROPRIETORS, &c.

From the Providence Journal.

Samuel Jenks vs. Robert B. Coleman. This was an action of the case, tried last week at the circuit of the United States, holden at Newport, in which the plaintiff sought to recover damages of the defendant, the commander of the steamboat Benjamin Franklin, which runs between Providence and New York, touching at Newport, for refusing to receive plaintiff on board his boat at Providence and convey him to Newport, the customary fare for which he tendered the defendant. It was given in evidence that the plaintiff was the agent of the Tremont line of stages, running between Providence and Boston—that his object was to take passage in the boat to Newport, and then go on board the steamboat President, on her passage from New York to Providence, on the next morning, for the purpose of soliciting passengers for the Tremont line of stages for Boston. This the proprietors of the President and Benjamin Franklin had prohibited, and had given notice that they would not permit agents of that line of stages to take passages in their boats, for that purpose. The reason assigned for such prohibition was, that it was important for the proprietors of the steamboats that the passengers from their boats, for Boston, should find at all times, on their arrival at Providence, an immediate and expeditious passage to Boston. To insure this object, the Citizens' Coach company had contracted with the steamboat proprietors to carry all the passengers who wished to go in their carriages immediately to Boston, in good carriages at reasonable expedition and prices; and the commanders of the steamboats were to receive the fare and make out way-bills of the passengers, for the Citizens' Coach company. This they continued to perform, and in order to counteract the effect of this contract, which had been offered the Tremont line, and declined, that line placed an agent on board the boats to solicit passengers for their coaches, and on being complained to by the Citizen's Coach company, the proprietors of the steamboats interdicted such agents from coming on board their boats. And in this instance refused to permit the plaintiff to take passage in the boat for Newport.

For the plaintiff it was contended, that steamboat proprietors were common carriers—and every person conducting himself with propriety had a right to be carried, unless he had forfeited that right. The plaintiff in this instance did conduct with propriety, and had not forfeited his right to be carried, by any improper misconduct.

The steamboat proprietors, and Citizens' Coach company had attempted to establish a monopoly, which should not be countenanced, it being against the public interest. Such a monopoly operated to increase the price and prolong the time of passage from Providence to Boston, while open competition promoted the public interest and convenience, by reducing the fare and expediting the passage.

The plaintiff, in this instance, requested to be conveyed from Providence to Newport, during which passage, it was well known, no passengers were to be solicited. That was to be done only on the passage from Newport to Providence.

For the defendant it was contended that the contract made by the steamboat proprietors and the Citizens' company was legal, and subserved the public convenience, and the interest of the proprietors of the boats and stages. It insured to the passengers expeditious passages at reasonable prices;—that the regulation excluding the agents of the Tremont line of stages from the steamboats was legal and just, because it was necessary to promote the foregoing objects, to wit, the public convenience, and the interests of the proprietors of both the boats and stages. Of this interdiction the plaintiff had received notice, and had no legal right to complain.

Judge Story summed up the evidence, and stated the views of the court upon the law arising in the case.

Mr. Webster, for the plaintiff, requested the court to charge—"That the jury must be satisfied that this agreement was necessary or clearly expedient for the public interest, and the interest of the proprietors of the boats, or otherwise the captain of the boat could not enforce it by refusing the plaintiff a passage:—Or, that the defendant must show that the substantial interest of the proprietors, or of the public, required an arrangement such as that they entered into, in order to justify their refusal to carry the plaintiff for the cause assigned."

The court refused to give instruction in the manner and form as prayed, but did instruct the jury that "it is not necessary on the defendant to prove that the contract in the case was necessary to accomplish the objects therein stated; but it is sufficient if it was entered into by the steamboat proprietors *bona fide* and purely for the purpose of their own interest and the accommodation of the public, from their belief of its necessity, or its utility. If the jury should be of opinion, that under all the circumstances of the case, it was a reasonable contract, and the exclusion of the plaintiff was a reasonable and proper regulation to carry it into effect on the part of the steamboat proprietors, then their verdict ought to be in favor of the defendant; otherwise in favor of the plaintiff."

Verdict, for defendant.

R. W. Greene, and *Webster*, for plaintiff. *Rivers*, and *Whipple*, for defendant.

PRESENTATION OF CHECKS.

The following important case was tried in New York, and involves questions of great interest to banks and merchants:

On the 3d of February, 1834, the cashier of the Suffolk bank at Boston, drew a check on the Phenix bank of New York, in favor of Messrs. J. Baker & Son, for $5,000. Baker & Son endorsed this check in blank, and from them it passed into the hands of the cashier of the Atlantic bank at Boston, who endorsed it *specially* to Morgan, Ketchum & Co. of this city, and transmitted it to them by mail. The check was stolen either from the mail or the post office in this city, and on the 5th of February, two days after it was mailed at Boston, and expected in this city, it was presented for payment at the Phenix bank, in New York, by a licensed porter, named Wm. Walsh, who was paid its amount by the teller of the bank.

Immediately after the porter left the bank, he handed the money to the person who sent him to get the check paid, and another porter, named Peter D. Cole, who saw Walsh hand the money to the men who had employed him, suspected from the manner in which they received it, and other circumstances, that there was something incorrect in the transaction, and requested Walsh to accompany him back to the bank and state the matter to the teller. The two porters accordingly did so, and the teller immediately sent a person to Morgan, Ketchum & Co. with the check, in order to ascertain if the endorsement on it, which purported to be theirs, was genuine. Morgan, Ketchum & Co. then resided at 44 Wall street, 15 or 20 rods from the bank. The person who went to Ketchum & Co. was informed that the endorsement of their name was a forgery, and some person from the bank immediately went in pursuit of the men who sent the check for payment, and not being able to discover them, information of the matter was sent by the bank to the police office.

On the 2d of April, following, Morgan, Ketchum & Co. made a formal demand of the check from the Phenix bank, and on the refusal of the bank to deliver it, commenced an action of trover for its recovery, or the value in damages. On the trial of this action, a verdict was taken for the plaintiffs, subject to the opinion of the court, on the question whether the first endorsement by Baker & Son being open or in bank, the Phenix bank was entitled to disregard the subsequent special endorsement to Morgan, Ketchum & Co. and was therefore to be held exonerated from liability on account of having paid the amount without their endorsement—or, which is the same thing, on an endorsement purporting to be theirs, but which proved to be a forgery. This question was decided in *favor* of the bank, but

ie court, nevertheless, granted a new trial in order that a jury ight determine whether the bank had not rendered itself liable y a want of ordinary prudence in paying the check, under the ircumstances. The trial on Wednesday, was to determine its point, and this only.

A large number of witnesses were examined, principally merhants and bank officers, the substance of whose testimony was tat it is not unusual to send checks to banks by porters, for nall amounts, from $100 to $1,000, but they were not usually ut for so large an amount as $5,000; that it was not usual to ay checks for large amounts unless the signature of the enorser was known.

The jury retired for a few moments and returned a verdict or the plaintiff for $5,470 54, being the amount of the check nd interest on it.

THE GEORGIA CHEROKEES.

We mentioned, some time ago, that John Ross, one of the incipal chiefs of this nation, had refused to accept the terms ffered by the United States for the cession of the Cherokee nds in Georgia, and was exerting all his influence to induce he other chiefs and the tribe generally, to reject the proposition. The following letter has been written to Ross, by order f the president, by which it will be seen that no other terms ill be offered, and that the continued rejection of those alsady proposed, will close the door of negotiation, at least so ong as the present executive of the United States remains in ffice. A council was to be held yesterday, at which the Cheokees have been invited to meet the commissioners, and we hall therefore soon know whether the engagements entered nto by Ridge (for the removal of the tribe), have been ratified r annulled.

War department, May 25, 1835.

Gentlemen: I have received, and laid before the president, our letter of the 13th inst.

He has instructed me to authorise you to announce publicly o the Cherokees, that no propositions for a treaty will hereafter be made, more favorable than those now offered to them. The sum of five millions of dollars was fixed upon by the senate, as an ample equivalent for the relinquishment of all their rights and possessions in Georgia, and other states east of the Mississippi. The whole subject was fully considered, before this price was determined. Mr. Ross and his associates had fully opportunities of expressing their own views to the committee, and to other senators verbally and in writing. He himself proposed that the adjustment of the consideration should be left to the senate; and he voluntarily bound himself to accept the sum they might name. When under consideration in the senate, there were members of that body watchful for his interests, and prompt to adduce every argument in his favor. That treaty has been published, and its liberal conditions have been every where acknowledged.

Most assuredly the president will not, under these circumstances, sanction any expectation that more favorable arrangements will hereafter be held out to the Cherokees. So far from this, he has instructed me to say that the present is the last proposition he will make to them, while he remains in office; and they must abide the consequences of its rejection. Nor will it be wise or safe for them to anticipate that either branch of the government will be disposed to do more for them.

The commissioners have been authorised to vary the nature of some of the stipulations, if others would be more agreeable to the Cherokees. But they have not and will not be authorised to offer one dollar more than the five millions advised by the senate. Very, &c. C. A. HARRIS,

acting secretary of war.

Messrs. *W. H Underwood, Gainesville, Hall co. Geo. John Ridge, Cassville, Georgia.*

THE INDIANS IN ALABAMA.

Rumors have been for some time in circulation, of difficulties between the whites and Indians, and of outrages committed by the latter. The accounts, however, came in such a questionable shape, that we have not thought it worth while to notice them; but they are now confirmed to some extent, by an official communication of governor Gayle to the secretary of war, dated May 27th, 1835. It is written apparently with candor and impartiality, and may probably be relied on, as giving a true description not only of the misconduct of the Indians, but also of the oppressions endured by them, to which their aggressions must be ascribed. We extract the most important passages:

"Sir: At this time, a state of things exists in parts of the country ceded by the Creek Indians to the United States, that requires the immediate presence of a respectable military force. In the counties of Macon and Russell, the Indian population is greatly larger than that of the whites; and confiding in superior numbers, they have placed the laws and civil magistrates at defiance. They are in the daily habit of committing the most lawless depredations on the property of the settlers, and, within a few weeks past, have murdered and robbed several innocent travellers on the highway leading from Columbus, Geo. to Montgomery. The white inhabitants are alarmed to such a degree, that they offer no resistance, and the civil officers, for want of assistance themselves, will neither issue nor execute process for their apprehension.

"An agent whom I despatched several days ago, to inquire into the cause and extent of these difficulties, has just returned, and states that many Indian families are destitute of the means of subsistence, and will inevitably starve if provision be not made for them. Whether their present situation, and the disturbances complained of, are to be ascribed to the improper treatment of the whites, it is certain that order cannot be maintained, and the laws executed, unless a military force be at hand, to afford prompt assistance to the civil authorities. I therefore respectfully request that a detachment of the troops of the United States be ordered to Fort Mitchell with all convenient despatch, and that the officer in whose charge they may be placed, whenever called on by the proper authority, may be directed to aid in the arrest of the offenders.

"I beg leave to call your attention to the frauds, the infamous and unprincipled frauds, which organized bands of speculators have practised and are still practising on the Indians, in first obtaining their lands, and then, the small and inconsiderable sums they have paid as a consideration for their purchases. These impositions have acquired great notoriety, and are subjects of universal complaint. I entertain no doubt, that the outrages which have been committed by the Indians, upon the innocent settlers and innocent travellers, have been provoked by the injuries they have received from the speculators, and if they alone could be selected as the victims of revenge, they would meet but little sympathy from the honest part of the community. But they are as ingenious and as successful in diverting from themselves the hostility and indignation of the Indians, as they have been in defrauding them of their property."

In a subsequent communication to several gentlemen of Russell county, who had addressed him on the subject, governor Gayle, after informing them of his application to the war department, states that the Indians are starving, and must of necessity prey upon the property of their neighbors, and that nothing short of their removal to the country which has been provided for them, can render a residence in that part of the state tolerable for the white men. We think so too, and however unjust may be the compelled emigration of the Indians, we believe and admit that, in the existing state of things, it is an indispensable measure both to them and to the whites. They cannot live together, and, if attempted, the Indians must perish. Governor Gayle, in his letter to these gentlemen, again adverts to the impositions practised on the Indians, and especially urges the suppression of grog shops, of which great numbers are opened throughout the country for the particular "*accommodation*" (that is, ruin) of the red men. *Com. Adv.*

CHOCTAWS IN TEXAS.

The Natchitoches Herald of the 23d ultimo, contains a long letter, addressed by col. Peter Ellis Bean, in the Mexican service, to governor Cass, (war secretary), under date of Feb. 24th, 1833, soliciting the attention of the government to the fact, that more than seven hundred Choctaw Indians had passed from the United States into the midst of the settlements in Texas—and that numerous bodies from other tribes were making preparations to follow them—contrary to the stipulations of a treaty entered into between the United States and the Mexican republic, on the 5th of April, 1831. The following is the conclusion of col. Bean's letter, of which, the Herald says, no notice has ever been taken by the government of the United States:

The mutual faith of the two republics being pledged upon the subjects of this address certainly renders it a matter of much delicacy, and I should be wanting in respect for my own government, if I could even suspect that the president, or the immediate functionaries of the United States, could have either permitted or connived at the trespass which has taken place upon the territory of the republic of Mexico. It is nevertheless true, that these Indians passed by a military post of the United States (Fort Jessup) on their way to the Sabine, where they entered Texas. The route pursued by the Choctaws from Natchitoches was most manifestly different from that which they must have pursued in reaching the country assigned to them on the east side of the Red river, and within the territory of your government. By this early and sincere application to the United States government, it is requested that such measures may be adopted by that government, in its characteristic good faith, as will not only prevent all future "incursions," but also to order that those already within this province should be presently removed to the lands assigned to them by the United States. I flatter myself, with the present existing treaties, and the otherwise friendly relations subsisting between the two governments and their citizens, that the president of the United States will feel bound, from his elevated political as well as moral character, to arrest and prevent the intentions of the tribe or tribes of the Creek Indians, from any and all contemplated "incursions" into the territories of Mexico, and particularly of this province. The consequences to its white inhabitants may prove of a character not only disastrous to them, but such as would claim the consideration of every humane and honorable breast.

You will at once perceive, from the nature of my situation, that my immediate duty will be to apprise my government of the facts, that it may be enabled to understand the exigencies of my command.

God preserve you many years, I have the honor to be your most obedient serv't, P. E. BEAN.

Colonel of cavalry of the Mexican republic.

MR. LIVINGSTON'S REPLY

To an invitation to partake of a public dinner at Philadelphia.
To G. M. Dallas, H. D. Gilpin, J. N. Barker, &c. &c. &c.

Philadelphia, 25th June, 1835.

GENTLEMEN: To say that I receive with the highest gratification, the letter with which you greeted my arrival this evening, would but feebly express the feelings which your partiality has inspired.

That my political conduct has been such as to deserve your approbation, gives it a value which, added to conscious rectitude, might at an earlier period of my life, have created a reprehensible vanity. At my advanced age, I may, without that reproach, indulge the honest pride it is calculated to produce. That this approbation extends to the course I have pursued during a mission in which not only the interests of my fellow citizens, but the dignity and honor of my country were to be asserted, is most particularly gratifying to me. My endeavors have been sincerely and unremittingly exerted in attempts to promote these objects, although they widely differ in importance; for I have considered pecuniary interests secondary to the great duty of preserving untarnished the high character of the nation I had the happiness and responsibility to represent. Your sentiments on this subject could not differ from mine, for they are inspired by the patriotic feelings of freemen, and they must convince the world that the government of our country will be supported in any measure it may deem proper to pursue, in order to secure all the great ends which I was instructed to promote.

I repeat my gratitude to you, gentlemen, for the obliging terms in which you express yourselves, with respect to my conduct. It has no other merit than that of an honest desire to advance the prosperity and to maintain the character of our common country; with some diligence in the discharge of official duties, which many others would have performed with more talent, and perhaps with more complete success.

I accept with great pleasure the invitation with which you have honored me, but I regret that the uncertainty of my necessary stay at the seat of government, prevents my appointing, at present, the time at which I may avail myself of your offered civility. I hope shortly to be able to do so. With sentiments of cordial respect, I am, gentlemen, your obliged fellow citizen and friend,

EDWARD LIVINGSTON.

MR. LIVINGSTON'S CORRESPONDENCE.

Washington, July 2.

The deep solicitude so generally and so naturally felt by all to be correctly advised of the actual state of our relations with France, will be relieved by a perusal of the correspondence which will be found in our columns of to-day. The documents speak a language so definite and intelligible as to leave us no room for useful comments, if we were disposed to offer them. The ground taken by our government is so just as not to admit of any thing like serious diversity of opinion among the American people. Can we be mistaken in supposing, that for once, in a matter nearly affecting the interest and honor of the country, we shall present an undivided front to the world? [*Globe.*

Department of state, July 1st, 1835.

In consideration of the many important interests connected with the relations between the United States and France, the president has directed the publication of the following documents:

Mr. Livingston to the duc de Broglie.

Legation of the United States, Paris, April 25th, 1835.

His excellency, the duc de Broglie, &c.

SIR: About to return to my own country, I am unwilling to leave this without adding one more effort to the many I have already made to restore to both that mutual good understanding, which their best interests require, and which probable events may interrupt, and perhaps permanently destroy.

From the correspondence, and acts of his majesty's government, since the message of the president of the United States was known at Paris, it is evident that an idea is entertained of making the fulfilment of the treaty of 1831 dependent on explanations to be given of terms used in the message, and of withholding payment of an acknowledged debt until satisfaction be given for a supposed indecorum for demanding it. The bare possibility that this opinion might be entertained and acted upon by his majesty's government, renders it incumbent on me to state explicitly what I understand to be the sentiments of mine on this subject.

Erroneous impressions arising from the want of a proper attention to the structure of our government, to the duties of its chief magistrate, to the principles it has adopted, and its strict adherence to them, in similar cases, might raise expectations which could never be realized, and lead to measures destructive to all harmony between the parties. This communication is made in full confidence that it is the wish of his majesty's government, as it most sincerely is that of the president, to avoid all measures of that description, and it is hoped, therefore, that it will be received in the spirit by which it is dictated—that of conciliation and peace.

The form of our government, and the functions of the president as a component part of it, have, in their relation to this subject, been sufficiently explained in my previous correspondence, especially in my letters to the comte de Rigny of the 29th of January last. I have, therefore, little to add to that part of my representation which is drawn from the form of our government, and the duties of the president in administering it. If these are fully understood, the principles of action derived from them cannot be mistaken.

The president, as the chief executive power, must have a free and entirely unfettered communication with the co-ordinate powers of government. As the organ of intercourse with other nations, he is the only source from which a knowledge of our relations with them can be conveyed to the legislative branches. It results from this, that the utmost freedom from all restraint in the details into which he is obliged to enter, of international concerns, and of the measures in relation to them, is essential to the proper performance of this important part of his functions. He must exercise them without having continually before him the fear of offending the susceptibility of the powers whose conduct he is obliged to notice. In the performance of this duty he is subject to public opinion, and his own sense of propriety for an indiscreet, to his constituents for a dangerous, and to his constitutional judges for an illegal exercise of the power, but to no other censure, foreign or domestic. Were any foreign powers permitted to scan the communications of the executive, their complaints, whether real or affected, would involve the country in continual controversies; for, the right being acknowledged, it would be a duty to exercise it by demanding a disavowal of every phrase they might deem offensive, and an explanation of every word to which an improper interpretation could be given.

The principle, therefore, has been adopted, that no foreign power has a right to ask for explanations of any thing that the president in the exercise of his functions thinks proper to communicate to congress, or of any course he may advise them to pursue. This rule is not applicable to the government of the United States alone, but, in common with it, to all those in which the constitutional powers are distributed into the different branches. No such nation, desirous of avoiding foreign influence or foreign interference in its councils; no such nation, possessing a due sense of its dignity and independence, can long submit to the consequences of other interference. When these are felt as they soon will be all must unite in repelling it, and acknowledge that the United States are contending in a cause common to them all, and more important to the liberal governments of Europe than even to themselves; for it is too obvious to escape the slightest attention that the monarchies of Europe, by which they are surrounded will have all the advantages of this supervision of the domestic councils of their neighbors, without being subject to it themselves. It is true that in the representative governments of Europe, executive communications to legislative bodies, have not the extension that is given to them in the United States, and that they are, therefore, less liable to attack on that quarter, but they must not imagine themselves safe.

In the opening address, guarded as it commonly is, every proposition made by the ministry, every resolution of either chamber, will offer occasions for the jealous interference of national punctilio, for all occupy the same grounds. No intercommunication of the different branches of government will be safe, and even the courts of justice will afford no sanctuary for freedom of decision and of debate; and the susceptibility of foreign powers must be consulted in all the departments of government. Occasions for intervention in the affairs of other countries are but too numerous at present without opening another door to encroachments; and it is no answer to the argument to say that no complaints will be made but for reasonable cause,' and that of this, the nation complained of being the judge, no evil can ensue. But this argument concedes the right of examining the communications in question, which is denied; allow it, and you will have frivolous as well as grave complaints to answer, and must not only heal the wounds of a just national pride, but apply a remedy to those of a morbid susceptibility.

To show that my fear of the progressive nature of the encroachments is not imaginary, I pray leave to call your excellency's attention to the enclosed report from the secretary of state to the president. It is offered for illustration, not for complaint. I am instructed to make none. Because the government of France has taken exception to the president's opening message, the charge d'affairs of France thinks it his duty to protest against a special communication, and to point out the particular passages in a correspondence of an American minister with his own government, to the publication of which he objects. If the principle I contest is just, the charge d'affairs is right; he has done his duty as a faithful supervisor of the president's correspondence. If the principle is admitted, every diplomatic agent at Washington will do the same, and we shall have twenty censors of the correspondence of the government and of the public press. If the principle is correct, every communication which the president makes, in relation to our foreign affairs, either to the congress or to the public, ought in prudence to be previously submitted to these ministers, in order to avoid disputes, and troublesome and humiliating explanations.

If the principle be submitted to, neither dignity nor independence is left to the nation. To submit to a discreet exercise of such a privilege, would be troublesome and degrading, and the inevitable abuse of it could not be borne. It must, therefore, be resisted at the threshold, and its entrance forbidden into the sanctuary of domestic consultations. But, whatever may be

the principles of other governments, those of the United States are fixed—the right will never be acknowledged, and any attempt to enforce it, will be repelled by the undivided energy of the nation. I pray your excellency to observe, that my argument does not deny a right to all foreign powers of taking proper exceptions to the governmental acts and language of another. It is to their interference in its consultation, in its proceedings, while yet in an incipiate state, that we object. Should the president do an official executive act, affecting a foreign power, or use exceptionable language in addressing it through his minister or through theirs; should a law be passed injurious to the dignity of another nation, in all these, and other similar cases, a demand for explanation would be respectfully received, and answered in the manner that justice and a regard to the dignity of the complaining nation would require.

After stating these principles, let me add that they have not only been theoretically adopted, but that they have been practically asserted. On two former occasions, exceptions of the same nature were taken to the president's message by the government of France, and in neither did they produce any other explanations than derived from the nature of our government, and this seems on those occasions to have been deemed sufficient; for in both cases the objections were virtually abandoned. One, when Messrs. Marshall, Gerry and Pinkney, were refused to be received; and again, in the negotiation between prince Polignac and Mr. Rives, in the former case, although the message of the president was alleged as the cause of the refusal to receive the ministers, yet, without any such explanation, their successors were honorably accredited. In the latter case, the allusion in the message to an apprehended collision, was excepted to; but the reference made by Mr. Rives to the constitutional duties of the president seems to have removed the objection.

Having demonstrated that the United States cannot, in any case, permit their chief magistrate to be questioned by any foreign government, in relation to his communications with the co-ordinate branches of his own, it is scarcely necessary to consider the case of such an explanation being required as the condition on which the fulfilment of a treaty or any pecuniary advantage was to depend. The terms of such a proposition need only be stated to show that it would be not only inadmissible, but rejected as offensive to the nation to which it might be addressed. In this case it would be unnecessary as well as inadmissible. France has already received, by the voluntary act of the president, every explanation which the nicest sense of national honor could desire. That which could not have been given to a demand, that which can never be given on the condition now under discussion, a fortunate succession of circumstances, as I shall proceed to show, has brought about.

Earnestly desirous of restoring the good understanding between the two nations, as soon as a dissatisfaction with the president's message was shown, I suppressed every feeling of which the mode of expressing that dissatisfaction was calculated to produce, and without waiting for instructions, I hastened, on my own responsibility, to make a communication to your predecessor in office on the subject. In this, under the reserve that the president could not be called on for an explanation, I did in fact give one, that I thought would have removed all injurious impressions. This is the first of the fortunate circumstances to which I have alluded—fortunate in being made before any demand implying a right to require it; fortunate in its containing without any knowledge of the precise parts of the message which gave offence, answers to all that have since come to my knowledge. I can easily conceive that the communication of which I speak, made as I expressly stated without previous authority from my government, might not have the effect which its matter was intended to produce, but it has since, (as I have now the honor to inform your excellency), received from the president his full and unqualified approbation; but it is necessary to add that this was given before he had any intimation of an intention to attach it as a condition to the payment of the indemnity due by the treaty; given not only when he was ignorant of any such intent, but when he was informed by France that she intended to execute the treaty, and saw by the law which was introduced that it was not to be lettered by any such condition. Thus, that is already done, by a voluntary act, which could not have been done when required as a right, still less when made, what will unquestionably in the United States be considered degrading, as a condition. At this time, sir, I would, for no consideration, enter into the details I then did. If I could so far forget, what under present circumstances would be due to the dignity of my country, I should be disavowed, and deservedly disavowed by the president. It is happy, therefore, I repeat, that the good feeling of my country was evinced, in the manner I have stated, at the only time when it could be done with honor; and though present circumstances would forbid my making the communication I then did, they do not prevent my referring to it, for the purpose of showing that it contains, as I have stated it does, every thing that ought to have been satisfactory. Actual circumstances enable me to do this now: future events which I need not explain, may hereafter render it improper—and it may be nugatory, unless accepted as satisfactory before the occurrence of those events. Let it be examined with the care which the importance of giving it a true construction requires.

The objections to the message, as far as I can understand, for they never have been specified, are,

First, that it impeaches the good faith of his majesty's government.

Secondly, that it contains a menace of enforcing the performance of the treaty by reprisals.

On the first head, were I now discussing the terms of the message itself, it would be easy to show that it contains no such charge. The allegation that the stipulations of a treaty have not been complied with, that engagements made by ministers have not been fulfilled, couched in respectful terms can never be deemed offensive, even when expressly directed to the party whose infractions are complained of; and consequently can never give cause for a demand of explanation; otherwise, it is evident that no consideration of national injuries could ever take place. The message critically examined on this point, contains nothing more than such an enumeration of the causes of complaint. As to its terms, the most fastidious disposition cannot fasten on one that could be excepted to. The first refusal and subsequent delay are complained of, but no unworthy motives for either are charged or insinuated. On the whole, if I were commissioned to explain and defend this part of the message, I should say, with the conviction of truth, that it is impossible to urge a complaint in milder or more temperate terms; but I am not so commissioned. I am endeavoring to show not only that every proper explanation is given in my letter to Mr. De Rigny, of the 29th of January last, but that, in express terms, it declares that the sincerity of his majesty's government, in their desire to execute the treaty, was not doubted. Suffer me to draw your excellency's attention to the passages alluded to.

In discussing the nature of Mr Serrurier's engagement, I say "it is clear, therefore, that more was required than the expression of a desire on the part of his majesty's ministers, to execute the treaty; *a desire, the sincerity of which was never doubted, but which might be unavailing, as its accomplishment depended on the vote of the chambers.*" Again, in speaking of the delay which occurred in the month of December, I say, "it is referred to, I presume, in order to show that it was produced by a desire, on the part of his majesty's ministers, the better to assure the passage of the law: of this sir, I never had a doubt, and immediately so advised my government, and informed it, as was the fact, that I perfectly acquiesced in the delay." Thus it must be evident, not only that no offensive charge of ill faith is made in the message, but that, as is expressly stated in the first extract, full justice was done at Washington, to the intentions of the French government. While the delay is complained of as wrong, no improper motives are attributed to the government in causing it.

Again, sir, the whole tenor of that part of my letter which relates to the execution of the promise made by Mr. Serrurier, while it asserts the construction put upon it by the president to be the true one, and appeals to facts and circumstances to support that construction, yet it avoids charging the French government with any intentional violation, attributing their delay to an erroneous construction only; for in the letter, (I again quote literally), I say "I have entered into this detail with the object of showing that although the ministers of the king, under the interpretations which they seem to have given to Mr. Serrurier's promise, may have considered themselves at liberty to defer the presentation of the law until the period which they thought would best secure its success, yet the president interpreting that promise differently, feeling that in consequence of it he had forborne to do what might be strictly called a duty, and seeing that its performance had not taken place, could not avoid stating the whole case clearly and distinctly to congress." Thus, sir, the president, in stating the acts of which he thought his country had a right to complain, does not make a single imputation of improper motive, and to avoid all misconstruction, he offers a voluntary declaration that none such were intended.

The part of the message which seems to have caused the greatest sensation in France, is that in which, after a statement of the causes of complaint, it enters into a consideration of the measures to obtain redress, which, in similar cases, are sanctioned by the laws of nations. The complaint seems to be, that in a discussion of the efficacy and convenience of each, a preference was given to reprisals, considered as a remedial, not as a hostile measure; and this has been construed into a menace. If any explanations were necessary on this head, they are given in the message itself. It is there expressly disavowed, and the power and high character of France are appealed to, to show that it never could be induced by threats to do what its sense of justice denied. If the measures to which I have more than once alluded should be resorted to, and the humiliation attending a compliance with it could be endured, and if it were possible, under such circumstances, to give an explanation, what more could be required than is contained in the message itself, that it was not intended as a menace? If the measure to which I allude should be adopted, and submitted to, what would his majesty's government require? The disavowal of any intent to influence the councils of France by threats! They have it already. It forms a part of the very instrument which caused the offence, and I will not do them the injustice to think that they could form the offensive idea of requiring more.

The necessity of discussing the nature of the remedies for the non-execution of the treaty, the character and spirit in which it was done, are explained in my letter so often referred to, and I pray your excellency to consider the concluding part of it, beginning with the quotation I have last made. But if I wanted

any argument to show that no explanation of this part of the message was necessary, or could be required, I should find it in the opinion, certainly a just one, expressed by his majesty's ministers, that the recommendation of the president not having been adopted by the other branches of the government, it was not a national act, and could not be complained of as such. Nay, in the note presented by Mr. Serrurier to the government at Washington, and the measures which it announces, (his recall and the offer of my passports), the government of his majesty seems to have done all that they thought its dignity required; for they, at the same time, declare that the law providing for the payment will be presented, but give no intimation of any previous condition, and annex none to the bill which they present. The account of dignity being thus declared, by this demonstration, to be settled, it cannot be supposed that it will again be introduced as a set off against an acknowledged pecuniary balance.

Before I conclude my observations on this part of the subject, it will be well to inquire in what light exceptions are taken to this part of the message—whether as a menace generally, or to the particular measure proposed. In the first view, every measure that a government having claims on another declares it must pursue if those claims are not allowed, (whatever may be the terms employed), is a menace. It is necessary, and not objectionable, unless couched in offensive language. It is a fair declaration of what course the party making it intends to pursue, and except in cases where pretexts are wanted for a rupture, have rarely been objected to, even when avowedly the act of the nation; not, as in this case, a proposal made by one branch of its government to another. Instances of this are not wanting, but need not be here enumerated. One, however, ought to be mentioned, because it is intimately connected with the subject now under discussion. While the commerce of the United States was suffering under the aggressions of the two most powerful nations of the world, the American government, in this sense of the word, menaced them both.

It passed a law in express terms, declaring to them that unless they ceased their aggressions, America would hold no intercourse with them; that their ships should be seized if they ventured into American ports; that the productions of their soil or industry should be forfeited. Here was an undisguised measure, in clear, unequivocal terms, and of course, according to the argument against which I contend, neither France nor England could deliberate, under its pressure, without dishonor. Yet the emperor of France, certainly an unexceptionable judge of what the dignity of his country required, did accept the condition, did repeal the Berlin and Milan decrees, did not make any complaints of the act as a threat, though it called it an injury. Great Britain, too, although at that time on no friendly terms with the United States, made no complaint that her pride was offended—her minister on the spot even made a declaration that the obnoxious orders were repealed.

It is true it was a disavowal, but the disavowal was accompanied by no objections to the law as a threat. Should the objection be to the nature of the remedy proposed, and that the recommendation of reprisals is the offensive part, it would be easy to show that it stands on the same ground with any other remedy; that it is not hostile in its nature, that it has been resorted to by France to procure redress from other powers, and by them against her, without producing war: but such an argument is not necessary. This is not the case of a national measure, either of menace or action—it is a recommendation only of one branch of government to another; and France has itself shown that a proposal of this nature could not be noticed as an offence. In the year 1808 the senate of the United States annexed to the bill of non-intercourse a section which not only advised but actually authorised the president to issue letters of marque and reprisals against both France and England, if the one did not repeal the Berlin and Milan decrees, and the other did not revoke the orders in council. This clause was not acceded to by the representatives, but it was complete as the act of the senate: yet neither France nor England complained of it as an indignity—both powers had ministers on the spot, and the dignity of neither seems to have been offended.

If the view I have now taken of the subject be correct, I have succeeded in conveying to his majesty's ministers the conviction I myself feel, that no right exists in any foreign nation to ask explanations of, or even to notice, any communications between the different branches of our government; that to admit it even in a single instance would be a dangerous precedent, and a derogation from national dignity; and that in the present instance an explanation that ought to be satisfactory has been voluntarily given; I have then demonstrated that any measure founded on such supposed right is not only inadmissible, but is totally unnecessary, and consequently, that his majesty's ministers may at once declare that previous explanations given by the minister of the United States, and subsequently approved by the president, had satisfied them on the subject of the message.

The motives of my government during the whole course of this controversy, have been misunderstood or not properly appreciated, and the question is daily changing its character. A negotiation, entered into for pecuniary compensation to individuals, involved no positive obligation on their government to prosecute it to extremities. A solemn treaty, ratified by the constitutional organs of the two powers, changed the private into a public right. The government acquired by it a perfect right to insist on its stipulations. All doubts as to their justice seem now to have been removed; and every objection to the payment of a debt acknowledged to be just, will be severely scrutinized by the impartial world. What character will be given to a refusal to pay such a debt on the allegation, whether well or ill founded, of an offence to national honor, it does not become me to say. The French nation is the last that would ever appreciate national honor by any number of millions it could withhold, as a compensation for an injury offered to it. The United States, commercial as they are, are the last that would settle such an account. The proposition I allude to would be unworthy of both, and it is sincerely to be hoped that it will never be made.

To avoid the possibility of misapprehension, I repeat, that this communication is made with the single view of apprising his majesty's government of the consequences attending a measure, which, without such notice, they may be inclined to pursue; that, although I am not authorised to state what measures will be taken by the United States, yet I speak confidently of the principles they have adopted, and have no doubt they will never be abandoned.

This is the last communication I shall have the honor to make. It is dictated by a sincere desire to restore a good intelligence, which seems to be endangered by the very means intended to consolidate it. Whatever be the result, the United States may appeal to the world to bear witness, that in the assertion of the rights of their citizens and the dignity of their government, they have never swerved from the respect due to themselves, and from that which they owe to the government of France.

I pray your excellency to receive the assurance of high consideration with which I have the honor to be your most obedient servant,

EDWARD LIVINGSTON.

—

Mr. Livingston to Mr. Forsyth.

Washington, June 29, 1835.

SIR: After having by my note to the duke de Broglie, dated the 25th April last, made a final effort to preserve a good understanding between the U. States and France, by suggesting such means of accommodation as I thought were consistent with the honor of the one country to offer, and the other to accept, I determined to avail myself of the leave to return, which was given by your despatch, No. , rather than to remain, as I had desired to do, in England, waiting the result of my last communication. This step having been approved by the president, I need not here refer to the reasons which induced me to take it. Having received my passports, I left Paris on the 29th of April. At the time of my departure, the note, of which a copy has been transmitted to you, asking an explanation of the terms used in Mr. Serrurier's communication to the department, remained unanswered, but I have reason to believe that the answer, when given, will be satisfactory.

The principal business with which I was charged having thus been brought to a close, I presume that my services can no longer be useful to my country, and I therefore pray that the president will be pleased to accept my resignation of the trust with which I have been honored. I shall terminate it by transmitting to the department some papers relating to matters of minor importance, which I soon expect to receive, and will add the explanations which may yet be wanting to give a full view of the affairs of the mission up to the time of my leaving France.

I have the honor to be sir, with perfect respect, your most obedient servant,

EDW. LIVINGSTON.

The hon. John Forsyth, secretary of state.

—

Mr. Forsyth to Mr. Livingston.

Department of state, Washington, 30th June, 1835.

Edward Livingston, esq. Washington.

SIR: Your letter of the 29th instant has been laid before the president, and I am directed to reply, that the president cannot allow you, who have been so long and usefully employed in the public service, to leave the trust last confided to you without an expression of his regard and respect—the result of many years of intimate association in peace and war. Although differing on some points of general policy, your singleness of purpose, perfect integrity, and devotion to your country, have been always known to him. In the embarrassing and delicate position you have lately occupied, your conduct, and especially your last official note in closing your correspondence with the French government, has met his entire approbation exhibiting, as it does, with truth, the anxious desire of the government and the people of the United States to maintain the most liberal and pacific relations with the nation to which you were accredited, and a sincere effort to remove ill founded impressions, and to soothe the feelings of national susceptibility even where they have been unexpectedly excited—while, at the same time, it discourages, with a proper firmness, any expectation that the American government can ever be brought to allow an interference inconsistent with the spirit of its institutions, or make concessions incompatible with its self respect. The president is persuaded that he will be sustained in these opinions by the undivided sentiment of the American people, and that you will carry into a retirement, which he trusts may be temporary, the consciousness not only of having performed your duty, but of having realized the anticipations of your fellow citizens, and secured for yourself and your country the just appreciation of the world.

I am, sir, very respectfully, your obedient servant,

JOHN FORSYTH.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

The debate on executive patronage is postponed—to make room for certain articles that have been too long deferred; but, as we shall publish a supplement next week, the debate will be brought pretty nearly to a conclusion, so far as we intend to notice it.

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The laughable, or rather ridiculous, correspondence of Mr. Herman Thorn, with Mr. Livingston, at Paris, is inserted in the present number.

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With the truth or falsehood of a biographical sketch copied from the supplement to 7th vol. of the REGISTER, into a nameless journal of this city, on Saturday last, we do not feel that we have any sort of interest—for at the head of it, as inserted by us, and in a conspicuous line by themselves, are given the words—

"*From the Democratic Press.*"

But it was suitable to the long-perfected meanness of the editor of that journal to have it understood that the article was written by us, and he gave such a direction to public opinion, so far as it is formed by his press. He is welcome to all the good that he expected from an *obscuration* of truth. We do not speak thus with reference to the facts as set forth in the sketch—but they are applied, by him, to things which we have not, nor shall we have, any controversy or concern. Nor have they any sort of relation one to the other.

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A letter from a valued friend in Plymouth county, Massachusetts, has the following postscript:

"I noticed in one of your late papers an interesting account of the celebration of the anniversary of the *Mecklenburgh Declaration of Independence*. This may well be claimed as the *first* declaration of the kind in the country; and yet the declaration of '76 cannot justly claim to be the *second!* Several months before the adoption of that declaration, on the 23d of May, the town of *Plymouth* in this county, (Plymouth), "*voted, unanimously, independence on Great Britain.*" (I have a certified copy of the record in my possession.) It is a curious historical fact worthy of preservation.* As the act of a single isolated town, it was one of singular boldness, and, as far as my limited knowledge extends, without precedent in the whole country. As long before this as July 11, 1774, that town had voted 97 to 15, "not to purchase or consume any goods of any kind imported from Great Britian after the first of October next, until our liberties are restored."

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Many persons from Baltimore started for Harper's Ferry, Va. on Saturday morning last, and there dined at 2 o'clock, with the kind-hearted and attentive Mr. Fitzsimons. The distance is only 82 miles—the time 7 hours.

We learn that a venerable lady arrived at *Frederick* on Sunday last, and dined with her family at about one o'clock, who had left *Augusta*, in Georgia, on the preceding Wednesday, and stopped about 20 hours in *Baltimore*, on her way home. She came by the way of the Charleston rail road, the line of steam packets from Charleston to Baltimore, and thence by the rail road to Frederick—where she might have arrived in little over 3½ days, had she proceeded directly on.

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The cholera still prevails in a number of the towns and villages of the west—but fatal cases are not very numerous.

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Among the appointments made by the legislature of *Connecticut*, at its late session, was that of a certain *John T. Adams*, as judge of probate for the district of Norwich—who, thereupon, was *naturalized*, and renounced his allegiance to king William the 4th!

*Will he be so kind as to send us a copy, for this purpose?

The grand total of *changes* made by the legislature of this state is six hundred and ninety-two.

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The vacancies in the board of the Merchants bank of Baltimore, occasioned by resignations, having been filled, *George Brown*, has been elected president, and *Daniel Sprigg*, cashier. Mr. S. was formerly cashier of the bank at Hagerstown, Md. but is now cashier of the U. S. branch bank at Buffalo, N. Y.

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The Northern bank of Kentucky has been organized; and John Telford has been appointed president and Matthew T. Scott, cashier. Mr. Telford is, at this time, president of the branch of the bank of the United States, at Lexington.

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A mammoth—

It is intended to concede banking privileges with a large capital, to the New Orleans and Nashville rail road company, at the next session of our legislature. The present capital is six millions, the augmented may be from 15 to 20—with state banks, as branches, in the different states through which the rail road must pass. [*New Orleans Bee, June 22.*

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A gentleman from Texas, says the Louisville Journal, has handed us a copy of the charter of a bank, called the bank of Commerce and Agriculture, which the congress of the sovereign state of Coahuila and Texas has established in the department of Brazos. The capital of the bank is not to exceed one million of dollars, and to be divided into ten thousand shares. The directors may make loans at the rate of 8 per cent. per annum, when the term, for which they are made, does not exceed six months, and at the rate of ten per cent. when the term exceeds six months. The institution is to endure for twenty years, and may have branches in any part of the state.

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The Globe says—We understand that Dr. *Samuel Moore*, has resigned the office of director of the mint of the United States, to take effect on the first of the next month, and that *Robert M. Patterson*, M. D. of the university of Virginia, has been appointed to succeed him.

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James P. Heath, of the city of Baltimore, and *Charles R. Stewart*, of Anne Arundel county, have been nominated as members of congress from this district, by the whigs.

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It may truly be said, that "a great man has fallen in Israel."—JOHN MARSHALL, chief justice of the U. States, died at Philadelphia, on Monday last, the 6th July, in the 80th year of his age.

Though it could not have been expected that he should much longer remain with us, and notwithstanding the public was prepared for his decease from previous announcations of the state of his health—still the shock was not the less severely felt; for, next to WASHINGTON, only, did he possess the reverence and homage of the heart of the American people—not forced by any sudden burst of party zeal, but gently and kindly, yet ardently, flowing from a deep conviction of his long public service, and private practice of whatever embellishes and adorns human nature. No man that lived more nearly "filled up the measure of his country's glory" than he.

Some other will attempt a sketch of his character—the task will be performed, but we are incapable of it; and shall content ourselves with the humble duty of presenting, from other papers, a few brief minutes of the events of his life, with a notice of some of the honors that were paid to his memory.

Mr. *Marshall* was born in Virginia, on the 24th of September, 1755; and, as early as the summer of 1775, received a commission as lieutenant of a company of minute men, and was shortly after engaged in the battle of the Great Bridge, where the British troops, under lord Dunmore, were repulsed with great

gallantry. He was subsequently engaged in the memorable battles of Brandywine, Germantown and Monmouth; and, in 1780 obtained a license to practice law. He returned to the army shortly after, and continued in the service until the termination of Arnold's invasion.

In the spring of 1782 he was elected a member of the state legislature; and in the autumn of the same year, a member of the executive council, and married in 1783. In 1788 he was elected as representative of the city of Richmond in the legislature of Virginia, and continued to occupy that station, for the years 1789, 1790, 1791, and upon the recall of Mr. Monroe, as minister, from France, president Washington solicited Mr. Marshall to accept the appointment as his successor, but he respectfully declined. In 1799 he was elected and took his seat in congress—and in 1800 he was appointed secretary of war.

On the 31st day of January, 1801, he became chief justice of the supreme court of the United States, which distinguished station he continued to fill with unsullied dignity and pre-eminent ability, until the close of his mortal career. His biographer eloquently observes—"What indeed strikes us as the most remarkable in his whole character, even more than his splendid talents, is the entire consistency of his public life and principles. There is nothing in either which calls for apology or concealment. Ambition never seduced him from his principles—popular clamor never deterred him from the strict performance of his duty. Amid the extravagancies of party spirit, he stood with a calm and steady inflexibility,—neither bending to the pressure of adversity, nor bounding with the elasticity of success. He lived such as man should live, by and with his principles. If we were tempted to say in one word in what he excelled all other men, we should say, in wisdom; in the union of that virtue, which ripened under the hardy discipline of principles, with that of knowledge, which constantly sifted and refined its old treasures, and as constantly gathered new. The constitution, since its adoption, owes more to him than to any other single mind, for its true interpretation and vindication. Whether it lives or perishes, his exposition of its principles will be an enduring monument of his fame, so long as solid reasoning, profound analysis, and sober views of government shall invite the leisure, or command the attention of statesmen and jurists."

He died calmly and tranquilly, surrounded by three of his children and many valuable friends. The blow was not unexpected, and he was fully prepared. But a few days since he penned an inscription for his tomb stone. [*Phil. Inquirer.*

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Pursuant to public notice, the citizens of Philadelphia, assembled in town meeting on Tuesday afternoon, July 7, 1835, to express their sentiments in regard to the recent death of their distinguished countryman the late chief justice MARSHALL.

The meeting was called to order by John Swift, esq. mayor of the city.

On motion, the *right rev. bishop* WHITE was elected president of the meeting; the hon. *B. R. Morgan* and *T. M. Pettit*, vice presidents; and *Nicholas Biddle* and the hon. *Edward King*, secretaries.

J. R. Ingersoll, esq. offered the following preamble and resolutions, which were seconded by G. M. Dallas, esq. and unanimously adopted.

The deaths of great and good men are calculated to excite the attention and impress the hearts of those who survive; and to inspire them with an earnest desire to emulate their virtues and imitate their actions. In the decease of JOHN MARSHALL, the nation suffers a peculiar and irreparable loss. Seldom has an event occurred better calculated to impress his countrymen with feelings of awe. Seldom has an individual died more universally or more justly admired, esteemed, cherished or deplored.

Resolved, That the citizens of Philadelphia entertain a deep sense of the public services and private worth which have distinguished the long life of JOHN MARSHALL, late chief justice of the United States.

That as he has died in the midst of this community, it feels itself especially called upon to express its sentiments of respect for his memory, and as the citizens of Philadelphia would have rejoiced to greet him in life with every mark of hospitality—they will extend to his honored remains the testimony of their unfeigned veneration.

That they will form a funeral procession to move from the late lodgings of the deceased to the place of embarkation of his body.

On motion of the hon. Joseph Hemphill,

Resolved, That the proceedings of this meeting be published in all the newspapers of this city.

Whereupon the meeting adjourned.

WILLIAM WHITE, *president.*

BENJ. R. MORGAN, THOS. MCKEAN PETTIT, } *vice presidents.*

Nicholas Biddle, *Edward King*, } *secretaries.*

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There was also a great meeting of the gentlemen of the Philadelphia bar—the venerable Mr. *Duponceau* presiding, at which Mr. *Sergeant* offered the following resolutions, which were unanimously adopted—

Resolved, That the bar of the city of Philadelphia participate in the grief which has been caused by the death of the late chief justice of the United States, JOHN MARSHALL, and desire to unite with their fellow citizens in expressing their deep felt respect for the memory of that illustrious man.

Resolved, That while in common with our fellow citizens, we mourn the great public loss which has been tained sus, we feel it to be our privilege as members of a profession so highly honored by the character, talents and services of the deceased, and so long enlightened and directed upon the most momentous topics by his profound and patriotic mind, to be permitted in a special manner to acknowledge our obligations, and express our reverence for the name of JOHN MARSHALL, Therefore,

Resolved, That it be recommended to the bar of the United States, to co-operate in erecting a monument to his memory, at some suitable place in the city of Washington.

After appointing a committee to carry the above resolutions into effect, and resolving to wear crape for 30 days, the following proceedings were had—

Resolved, That judge Baldwin, Mr. Peters, Mr. Sergeant, Mr. William Rawle, jr. Mr. T. I. Wharton and Mr. E. D. Ingraham, be requested, on the part of the bar, to accompany the remains of chief justice Marshall to the city of Richmond, and to attend the funeral there.

Mr. C. J. Ingersoll then offered the following resolutions, which were also unanimously adopted:

Resolved, That the chairman and secretary be a committee to communicate these proceedings, and the condolence of the bar to the family of the deceased.

Mr. Wharton and Mr. Peters moved that Mr. Sergeant be requested to deliver an eulogium on the character of the late chief justice Marshall, before this bar, at some future time, to be designated by himself.

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The city councils of Philadelphia also passed the following resolutions—

Resolved, That the councils of the city of Philadelphia partake in the common grief of their fellow citizens, for the loss which our country has sustained by the death of the late illustrious JOHN MARSHALL, chief justice of the United States.

Resolved, That the officers and members of the select and common councils will attend the remains of the lamented deceased, beyond the borders of Pennsylvania, and that the mayor, recorder, aldermen and citizens, be invited to assist in paying this tribute of respect to his distinguished character and services.

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[Similar meetings have been held, or are called, at various places—and the proceedings had at some of them shall be recorded.]

From the Baltimore *American* of Thursday—

The corpse of the late chief justice Marshall was taken on board of the Citizens' Union Line steamboats yesterday morning at Philadelphia, and was transferred to the Norfolk steamboat at the mouth of the river Patapsco. It was accompanied by three sons of the deceased and a committee of the citizens of Philadelphia, consisting of judge Baldwin, Mr. Sergeant, Mr. Rawle, Mr. Peters and Mr. Ingraham, who proceeded with it to Virginia.

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The Hudson (N. Y.) Gazette, states that on Sunday evening 28th ult. about dark, about half an acre of ground on the border of the Claverack creek, 3½ miles from Hudson, suddenly sunk to the depth of 25 feet, carrying with it half the width of the Columbia turnpike road, together with a garden and orchard. This slide or sinking of the earth filled up the channel of the creek and turned the water round on the opposite flats.

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At the legislative caucus at which Mr. *Hill* was nominated for governor of New Hampshire, the following resolution was gravely passed:

Resolved, That we respectfully but earnestly request our brethren of Tennessee—a state whose favorite son the democracy of the country have supported with so much devotion—to pause before they take any measures calculated to divide the great democratic party—and to reflect whether that state is not the last from which such movements ought to be expected.

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The New York "Morning Herald" of Tuesday last, says—

On the Sunday before last, as we have been informed, the rev. Wm. Quarter, one of the Catholic priests who officiate in St. Mary's church, in Grand street, embraced the opportunity during the morning service, to denounce and prohibit to his congregation the reading or perusal of the Morning Herald, under the usual penalties made and provided by the holy church in all such and similar cases.

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The following are other extracts from *O'Connell's* abolition speech, at London. It is a fine specimen of the "fustian" of the "agitator"—

"The red arm of God," continued the learned gentleman, "is bared; and let the enemies of those whom he died to save the

black man as well as the white man, beware of its vengeance, the lightning careers through the troubled air resistless amid the howling of the tempest and the rolling of thunder. Oh, for one moment of poetic inspiration, that my words, with the fire of indignation with which my bosom burns—that my voice might be borne on the western breeze across the wide Atlantic, and light on their shores, and ascend their mountains, and be wafted down the Mississippi, the Ohio, the Missouri, and the rivers of America."

Speaking of the Irish in this country, who do not advocate as he does the fanatic doctrine of abolition, he says of them:

"He was glad such Irishmen had left their own country. They were amongst the objects of the curse of St. Patrick, who had banished all poisonous and venomous reptiles from the sod of Ireland. The learned member for Dublin then, in an eloquent manner, expressed his abhorrence of America, which professed the most enlarged principles of liberty, refusing to emancipate two millions of human beings from the degradation and horrors of slavery. The star spangled banner of America was stained with negro blood. They refused their slaves even the blessings of education. They enchained their bodies, and they would also enchain their souls. If they suffered this horrible system to continue, they would write themselves liars to their own declaration. He would proclaim them, from the place on which he then stood, blasphemers of their God, and, what some of them might think of still greater consequence, violators of their sacred honor." [How pious.]

A lord chancellor of Great Britain receives a retiring pension of 25,000 dollars a year, for life; and there are now living *four* persons who receive it—100,000 dollars a year, for the honor of having filled that office, for a few months.

Several days ago, the workmen engaged in getting out stone at Mr. Defrees' farm, two miles below this place, found on breaking a mass of rock, two lizzards and a small rattlesnake. On exposing them to the sun a few moments, they became perfectly alive. From the thickness of the rock, in which they were found, and the slow formation of the limestone species of rock, ages must have passed since they were thus encompassed.

[*Piqua (O.) Courier.*

The following is an account of a pleasant competition:

John Shackford, esq. sergeant at arms of the United States senate, and Matthew St. Clair Clark, esq. formerly clerk of the house of representatives, have each subscribed the sum of one thousand dollars as a donation to the American Bible society. The manner of the deed was unusual. At a late meeting of the Washington Bible society, Mr. Shackford rose and presented the following resolution, which was read by Mr. Clark, the president of the society.

Resolved, (by divine permission), I will pay to the secretary of the American Bible society, for value received, $1,000 in four annual instalments of $250 each, payable on the first day of February, in the years 1836, 1837, 1838 and 1839, without defalcation. [Signed] J. SHACKFORD.

After a few remarks, the president handed the resolution to the secretary, and the following was found to be appended—"I will pay the like sums on the same terms.

"M. ST. C. CLARK."

SINGULAR OCCURRENCE. *From the New York Courier.* A disclosure of one of the most extraordinary incidents we have ever heard, was made a few days since, to an individual in this city, by means of an anonymous note. It stated that the proprietor of one of the most fashionable dry goods stores in Broadway, near the Park, was in the constant habit of satisfying a most atrocious and criminal curiosity, by means of holes bored through the floor of his shop near the counter, over which his unsuspecting female customers were obliged to stand. The suspicions of persons about the store were first excited by observing that when any young lady of respectability entered, the master, on some pretext or other, instantly absented himself. At length a watch was placed upon him, and he was seen by a person previously concealed, to enter in haste a coal cellar under the store, of which he always kept the key, place himself on a barrel, and draw from the roof several plugs which exactly fitted augur holes in his shop floor, and through which he could plainly see what was passing above. The witness, having satisfied himself as to the motive which prompted the frequent visits to the cellar, imparted his communication above mentioned. The person to whom it was sent being a timid man, was fearful of giving publicity to the affair, lest it should not prove true. He, however, resolved on communicating it to the police, and showed the note to Huntington, the officer, who immediately repaired to the store, and satisfied himself by actual inspection, that at least a part of the charge was true. The augur holes were there and the plugs nicely fitted to them. The master of the store, the moment he saw the officer commence his scrutiny, absented himself, and, we believe, did not again return to business, but with all haste engaged his passage and sailed for Europe; since which the store has been kept closed. From the subsequent statement of those acquainted with the affair, it appears that the criminal has been in the commission of his vile practice for upwards of two years past. He has been most fortunate in absconding before his crime became known to an outraged community. Had he remained, his punishment in all probability, would have been most summary, and perhaps fatal to him.

In copying from the Courier the above disclosure, it is but just to the very respectable shopkeepers in the vicinity alluded to, to say, that the only shop, which, within a few days has been, and remains closed, is that of *R. Mackie*, in Broadway, next to the corner of Warren street. [*N. Y. American.*

RED RIVER RAFT. Of this great obstruction to the navigation of Red river 130 miles have been removed, leaving not more than 23 miles of it yet to be cleared away. The whole mass of timber of which it was composed, has been effectually removed from the bed of the river so as to leave but little remains of it to be seen. A good steamboat navigation has been opened throughout the whole extent of that part of the river from which the raft has been removed. Seven trips were made up through 110 miles of the river since the 1st March last, which was formerly filled with the raft, by five steamboats, viz: the "Lady Washington," "Romeo," "O'Connell," "Ouachita" and "St. Landres." The O'Connell and St. Landres made two trips. In five of the seven trips made by those boats, they were heavily laden with freight. When the remaining 23 miles of the raft shall have been removed, which will probably be done in the months of December, January and February next, there will be a free and safe navigation for steamboats at least 500 miles above the raft, which added to that part of the river where the raft was located, increases the navigation of the river a distance of 650 miles, through as good a tract of country as any of the same extent in the United States, lying between the 31st and 34th degrees of north latitude. The whole length of steamboat navigation in the main branch of Red river will exceed 1,000 miles. Its tributaries will add several hundred miles more. So that the effect produced by the removal of the raft will be to open to market a tract of land extending at least 800 miles on the banks of Red river and its tributaries, together with all the back country. Calculate the advantages arising from this improvement, and they will be found immense. Take but two sections of land deep on each side of the river, and you find that 2,048,000 acres of land will be opened to a market for its products, and offered for sale by the United States; its average value will be $5 per acre, producing an aggregate of $10,240,000. The whole expense to the government for the removal of the raft will not exceed $150,000. [*Louisville Adv.*

GRADUAL INCREASE OF THE NAVY. By the advertisement from the navy commissioners' office, dated May 25th, it will be seen that proposals have been issued for the delivery of white oak keel pieces for eight seventy-fours, eight frigates, and ten sloops of war, to be delivered by the first of August, 1836, at the naval stations of Portsmouth, Boston, New York, Philadelphia and Norfolk; together with a vast quantity of other timber in proportion to be delivered at the navy yard at Boston.

This is by far the most extensive movement that has ever taken place at any one time in regard to the navy, and fully indicates a disposition on the part of the government to place this right arm of our country's defence upon the most permanent foundation, and that too without delay. The above prospective increase, as we take it for granted, is entirely independent of vessels already enumerated in the report of the secretary of the navy as being in a state of preparation, in which case, when the whole shall be completed, our naval force will amount, all told, to 25 ships of the line—32 frigates—31 sloops of war, and 8 schooners—a force, efficiently and effectually manned, as our vessels usually are, not only sufficient to protect our own coast from insult, but to carry destruction and dismay among the colonies of the most powerful nations on the globe. To officer and man such a force as the above, would require

not much short of 40,000 men, and however visionary at the present moment it may appear to many, that we shall soon be able to effect this, we hesitate not to say, such is the wonderful increase of population, commerce and general resources of this country, particularly of the South Sea whaling business, that nursery of the best seamen in the world, that at the end of another ten years, it may be accomplished by these United States easier than by any other nation on the globe, with the single exception of Great Britain; and many years will not elapse, at the present ratio of increase, before our commerce upon every sea, the East Indies perhaps excepted, will be equivalent to hers. [*Boston Gazette.*

[The foregoing paragraph sounds largely, and would lead to a conclusion that we are making preparations in earnest for any war that may occur. But it savors a little of romance. We learn, upon inquiry, that the timber to be contracted for is only intended for the repairs of vessels already built, for which purpose every prudent government will always keep supplies on hand.] [*Army and Navy Chron.*

Mr. Leigh. *From the Richmond Whig of July 7.* We take especial pleasure in laying a card from this gentleman before the public; for whilst we are not insensible to the honor of having our political speculations attributed mediately or immediately to him, all who reflect must perceive the indelicacy and disrespect to the legislature of Mr. Leigh's imagining and discussing certain contingencies adverted to in those speculations, inferring neither disrespect nor indelicacy to the general assembly when proceeding from a citizen merely, but bearing a very different complexion if emanating from the senator. It has suited the editor of the Enquirer to consider Mr. Leigh as responsible for the speculations mentioned, for it is his cue to render Mr. Leigh obnoxious, and neither courtesy, truth nor justice, have imposed any limitations upon his endeavors to accomplish it; but those who personally know him could not have suspected him to be capable of the disrespect to the general assembly of anticipating a possible violation of the constitution by that body, or of the indelicacy of speculating in the newspapers upon what it became him to do in the event supposed.

A card. Mr. Leigh, being informed that the opinion is spreading far and wide, that the speculations in some recent editorial articles of the Whig, concerning his purposes, sentiments and probable course, were, in effect, communications from himself—therefore requests the editors of the Whig to repeat, what they have already stated, in the most explicit terms, that whatever they have said on that subject, previously to their paper of the 4th instant, was said without authority from him or communication with him; and to inform their readers, that they were authorised by him to state, as they did in their paper of the 4th, that it is his purpose to take his seat in the senate, unless an imperious necessity arising out of the state of his own private affairs shall prevent him from doing so. And he desires them now to say further, that, whatever censures he may incur, he will never expose himself to the charge of recreancy; and that, in his conduct in the senate, he shall take council only from his own sense of duty to his constituents and to his country, taking care to do nothing but upon the maturest and most dispassionate deliberation.

Lowell. Mr. Shireff, an English farmer, who visited this country with a view to decide upon allowing a younger brother to emigrate hither, thus speaks of Lowell, in Massachusetts:

"The females engaged in manufacturing amount to nearly 5,000; and as we arrived at Lowell on the afternoon of Saturday, we had an opportunity of seeing those connected with some of the largest cotton factories retiring from labor. All were clean, neat and fashionably attired, with reticules hanging on their arms, and calashes on their heads. They commonly walk arm in arm, without displaying levity. The general appearance and deportment was such that few British gentlemen in the middle ranks of life need have been ashamed of leading any of them to a tea-party. Next day being Sunday, we saw the young females belonging to the factories going to church in their best attire, when the favorable impressions of the preceding evening were not effaced. They lodge, generally, in boarding houses, and earn about 8s. 6d. sterling per week, independent of board: serving girls earn about 4s. 6d.

"The recent introduction of large manufacturing establishments, thin population and ample reward of labor, account for the apparent comfort and propriety of the Lowell young women. The situation of the manufacturing class in Britain is very different: nurtured amidst poverty and vice, they toil in crowded and unwholesome factories from infancy, often disregarded by parents and employers, and attaining maturity ruined in constitution and morals, with few of the sympathies of humanity.

"This village may be taken as an instance of the giant strides by which the United States are advancing to greatness, and the immeasurable water power nature has lavished on them. The canal supplies more water than the present machinery requires; and, after inspecting the surplus in the canal and rivers, I am of opinion there is water enough to propel nearly one hundred times the machinery at present employed, and which might employ a population of upwards of a hundred thousand souls.

"Britain is said to owe much of her greatness to the supply of coal with which she has been blessed; but however extensive and available it may be, the water power of the United States will excel it in cheapness and magnitude. The price of labor is, and will likely continue, much cheaper in Britain than in the United States, which seems the only circumstance that can ultimately give a superiority to the manufactories of the former."

Ferocity of native Africans! In Gurley's life of Ashmun, we find the following shocking instance of the bloody manner in which victims are procured for loading the slave ships which still hover on this coast:

"The following incident, (said Mr. Ashmun, in writing to the board of managers of the Colonization society), I relate, not for its singularity, for similar events take place, perhaps, every month in the year; but it has fallen under my own observation, and I vouch for its authenticity:—King Boatswain, our most powerful supporter and steady friend among the natives, (so he has uniformly shown himself), received a quantity of goods in trade from a French slaver, for which he stipulated to pay young slaves. He makes it a point of honor to be punctual to his engagements. The time was at hand when he expected the return of the slaver. He had not the slaves. Looking round on the peaceable tribes about him, for his victims, he singled out the Queahs, a small agricultural and trading people, of most inoffensive character. His warriors were skilfully distributed to the different hamlets, and making a simultaneous assault on the sleeping occupants, in the dead of night, accomplished without difficulty or resistance, the annihilation, (with the exception of a few towns), of the whole tribe. Every adult man and woman was murdered; every but feeble, very young children *generally* shared the fate of their parents. The boys and girls alone were reserved to pay the Frenchman."

HIGHLY IMPORTANT DECISION.

New Orleans, June 2, 1835.

Yesterday the judgment of the supreme court was pronounced in the long pending, and very important case, instituted by the heirs of Mr. Poultney, who died in the year 1812. The decision of this case has been looked for with the greatest anxiety, by many persons who had purchased the property, which was reclaimed by the heirs of Mr. *Poultney;* and the city of Lafayette has been materially impeded, in its progress and improvements, by the unwillingness of persons inclined to purchase, to embroil themselves in a protracted and uncertain litigation.—

The judgment was given against the heirs, principally upon the ground, that the widow of Mr. Poultney had never administered to her husband's estate; but, on the contrary, had abandoned all his property for herself and her two children. The debts of Mr. P. being at the time of his death, nearly double the amount of the assets, the property was in consequence sold for the benefit of the creditors, and only produced 69,000 dollars. Since that time, however, the property has become exceedingly valuable, and the heirs sought, by their action to disturb the present possessors, and to resume that property, of which it appears they had *never taken possession*, either virtually or legally, according to the form required by the Spanish law, which was in force at the time of the decease of Mr. Poultney. The heirs would have been barred, even by a plea of proscription, as they had allowed the property to be sold, and alienated, without opposing any impediment whatever; but, on the contrary, had *totally* abandoned the whole of it to the creditors, many of whom have since become insolvent themselves, in consequence of the losses drawn upon them, by having endorsed for Mr. Poultney. [*Louisiana Gaz.*

ANOTHER STRIDE TO DESPOTISM.

New Orleans, June 25. The schooner Crawford arrived yesterday in nine days from Vera Cruz, and brought papers of that place of the 12th inst.

They contain intelligence of a complete change in the form of government in Mexico—changing the federal republic of the states to a central consolidated government, over which Santa Anna is recognised as the head or supreme chief of the nation!

The change commenced in Toluca, the chief city of the state of Mexico, whence the plan was sent to the general government, and disseminated through each and every state. It has been adopted in every part of the state of Mexico, and in most of the other states; even those that had prominently adopted the plan of Texas, particularly Zacatecas. This plan of Toluca appears to have emanated from Santa Anna, and its adoption in the various states of the Mexican republic, to have been premeditated; so that there appears little doubt of its being generally supported and ultimately successful.

The prominent features of the plan are to establish a popular, representative and central government; *the constitution of which to be based on the* EXCLUSIVE *acknowledgment of the Catholic religion;* on the independence of the nation in the integrity of its actual territory; on the proportionate division of the powers of the government; and on the constitutional freedom of the press.

Santa Anna is recognised as president and supreme chief of the nation; and as protector of its laws freely enacted.

The present authorities not opposing the plan of Toluca, are to continue in office till congress shall organise a government on the principles indicated, and this is to be effected as soon as possible. [*Bulletin.*

ITEMS.

The journals of Saxony announce that a band of 96 robbers, who had been confined in the prisons of Oschetz, have lately been brought to trial, when four of them were condemned to be broken on the wheel, two to be beheaded by the sword, 19 to hard labor for different periods, from 1 to 19 years, and 34 to imprisonment for several weeks. Among them were 29 women and girls, very few of whom where subject to any of the severer punishments. The rest were acquitted.

The church of Rome has appropriated $60,000 for the establishment of a Catholic convent at Bertrand, Michigan.

The venerable major *Gibbon*, familiarly known as the "hero of Stoney Point," recently died at Richmond. His remains were interred with the highest honors. He gallantly led one of the advanced parties of the "forlorn hope" on the 16th July, 1779, when general Wayne carried that fortress by storm. He was collector at Richmond, (to which we believe, he had been appointed by WASHINGTON), at the time of his decease—and a most excellent man, universally revered.

Died, at his residence in Dorchester, Mass. on the 26th ult. *John Bailey*, esq. formerly a representative from that state, an accomplished scholar, and a worthy gentleman.

A man, in firing a salute, at Lewistown, Del. on the 4th inst. lost both his arms, and three others were dangerously wounded.

A great operator in London, made in the recent fall of Spanish bonds, the clear sum of £500,000 sterling, or $2,400,000, and all without the actual investment of a penny.

A gentleman at Providence had last fourth of July, four silk worms, which have in one year produced 700,000 now feeding on his *cocoonery*.

From the late official returns it appears that the number of curates in England, whose salary amounts only to £80 *per annum*, or less than $400, is *five thousand two hundred and eighty-two!* that, too, in a land where the income of the bishop is from $20,000 to $100,000 *per annum*.

The eight Metropolitan water works, which supply London, furnished, in 1833, *thirty-five millions gallons daily*. Upwards of three millions sterling, or about thirteen millions and a half dollars, had been expended on the works—yet a fresh water river—the Thames, runs through the city.

A bran new phrase from "Ould Ireland." The Athlone Independent, describing the attack made by a mob, armed with *shillalehs*, on a police officer, to prevent his apprehending a person, uses the following *naive* phrase in detailing the matter:

"They then *laid timber on him*, in a most unmercifull manner. The magistrates granted informations against Mr. Naghton.

Died on Friday evening, 26th ult. at his residence in the town of Southeast, Putnam county, N. Y. after a lingering illness, which he bore with pious resignation, in the 88th year of his age, *Enoch Crosby*. The most important public employments of his life are portrayed in the character of *Harvey Birch*, in the inimitable work entitled "The Spy," from the pen of our countryman, *Fenimore Cooper*.

Died, instantaneously, at Baltimore, on the 4th inst. midshipman *Magruder*, son of our worthy fellow citizen judge Magruder, in consequence of the accidental discharge of a musket, or fowling-piece, in the hands of his young friend, William Meredith.

Also, at Govanstown, where the Baltimore light dragoons had proceeded to take their anniversary dinner, in an affray with cornet Devier, *Charles R. Dimmit*, a justice of the peace. Mr. Devier came immediately to the city, and voluntarily placed himself at the disposal of the law.

At Chuckatuck, Nansemond co. Va. on the 1st inst. in an affray, two highly respectable young gentlemen were killed, with pistols—*Samuel Whitfield, junr.* and *William H. A. P. Cowper*. A ball that passed through Whitfield's body also killed a free black man who happened to be in the range of it. And, in a back apartment of Bank's Arcade, New Orleans, Marquett, who kept a confectioner's store, and his assistant, were both found dead, being made hideous from wounds inflicted with stiletto and dirks.

The president of the United States, on Monday last, left Washington for the Rip Raps—where he will remain a week or two.

The fidelity with which the masonry of the Baltimore and Ohio rail road was executed, (most of it four years ago), may be determined by the fact, as officially stated, and in detail, that only 180 dollars are required for repairs, on the whole line of the road, 83 or 84 miles.

The "Waterloo" tavern, on the road from Baltimore to Washington, was destroyed by fire on the 3d inst.

The steamboat *Assinaboine*, from the mouth of the Yellow Stone river, with 1,185 packs of peltries, was lately destroyed by fire while descending the Missouri. Loss 70 to 80,000 dollars.

We are glad to learn that Mr. *Boyle*, of the navy department, has determined to take charge of the son of the late Dr. *McCaffrey*, and bring him up. There are *seven* daughters of this truly unfortunate man yet to be provided for. [*New York Star.*

It will be recollected that Dr. McC. was barbarously murdered by a late mob in New York. They "*laid timber on him*"—while visiting a patient.

It is stated that damages to the amount of more than 100,000 dollars have been suffered by an awful hail storm that was felt at *Lynchburg*, and its vicinity, on the 27th ult. And *Canton*, a village of 35 houses, in Illinois, was levelled to the ground, (three houses excepted), and five persons killed, by a hurricane that happened there on the 18th ult.

The engineer of one of the Massachusetts rail roads finds that by not allowing spirits of any kind to the men employed, thirty per cent. is gained in the quantity of labor performed, besides the avoiding of quarrels and disturbances. In the face of a vast accumulation of facts, and of each one's individual experience, were it properly noted, so many still persist in believing that the body is assisted at labor and the mind refreshed by a little spiritous stimulant, that it is well to make known all the striking cases in proof of the multiplex benefits, not of temperance merely, but of total abstinence.

We congratulate the agriculturists of the state of Vermont on the present prospects in relation to the price of wool. If we are correctly informed, this staple article of our enterprising yeomanry will command a much greater price than last year—few sales, however, have yet been effected, and these mostly are of nearly or quite the first quality. Prices for these lots vary from 50 to 68 cents, as we are informed. We should think that wool was now commanding generally in this vicinity fifteen or twenty per cent. more than last year at this time. This is truly encouraging for our enterprising farmers and wool growers, and ought to stimulate them to extend their agricultural facilities for raising sheep. [*Vermont Herald.*

A fleece was taken the other day from a sheep belonging to Mr. George Hastings, of Colerain, Mass. weighing *nineteen pounds!* The fleece was of three years' growth; but if cut every year, it may be inferred that the average would have been eight pounds per annum. The staple in some parts of the fleece was seventeen inches long. The sheep is of the celebrated Bakewell

breed, which was brought to perfection, we believe, by the celebrated Mr. Coke, of Norfolk, in England.
[*Greenfield Mercury.*

Mr. J. Marsh, jr. of Montague, informs us that he sheared a sheep of his a few days since, one year old, the fleece of which weighed seven pounds and three-quarters. [*Ib.*

The Detroit Journal gives the following account of the repeal of the provision in the constitution of Michigan giving the rights of citizens to all who had been in the country two years:

"We take great pleasure in announcing to our friends, that on motion of Mr. Norvell, the obnoxious passage in the constitutional provision, for the elective franchise, permitting foreigners to vote, has been stricken out by a very large vote in the convention, and that as the matter now stands, no persons except citizens of the U. States, and others who were residents of the territory on the 4th of April last, shall hereafter be participators in the elective franchise."

AFFAIRS OF SPAIN.

"*London, May* 30. Extract of a letter from Madrid dated May 20, received by express: 'The following are the minutes of resolutions come to yesterday:

"'1. The urgent necessity of a foreign intervention, without which the government is unable to put down the insurrection of the Carlists, or stop the progress of anarchy.

"'2. The council of regency, the ministers, the constituted authorities, the troops of the garrison of Madrid, the army of the north, and the people devoted to the existing government, convinced of this necessity, loudly demand the active co-operation provided for by the quadruple treaty; and consequently engage to receive the foreign auxiliaries as friends and protectors.

"'3. Under present circumstances the intervention should be immediate, and consist of 50,000 men.'"

These three points have been approved by the ministers; and the ambassadors of France and England have affixed their signatures to them as certifying their being correct. To this the ministers have decided to add that Spain should hold herself liable to France for all the charges and expenses which the expedition may create. This act has, no doubt, been sent to the allied courts, in support of the application of our ambassadors. It is said that the ministers give up all for lost if the quadruple treaty is not immediately and entirely fulfilled. A retirement of government to Badajos or Seville is talked of, in case the Carlists make any progress in Castile.

The Portuguese ambassador has, it is stated, promised in the name of her most faithful majesty, that she will be ready to render such assistance to our queen as the other parties of the quadruple alliance shall decide upon. Valdes quits the army of Navarre, and the count de Espleta, or the marquis de las Armarillas, is named as his successor. This army is in an alarming state. All the troops are about to leave Biscay and Navarre, except those of Pampeluna and St. Sebastian, which will be retained; for which purpose they are being provisioned.

Our position is delicate. We are looking with great anxiety for the answers of France and England. If the 50,000 French do not quickly enter Spain, it will be taken as a proof that the powers will accommodate themselves to the denomination of Don Carlos, for the refusal will be a passport for Charles V. to Madrid. The army of the north will declare in his favor, and horrible reactions will take place without any possible return to the present system. The queen is said to be plunged into the deepest distress. She would be glad to make an arrangement with Don Carlos by means of a marriage, but she dares not avow her wishes.

According to the letters of the 19th inst. from Barcelona, a new and powerful band of 600 men has shown itself on the frontier of France, towards Camperdown, in the direction of Figueires. All is quiet. The Urban militia are performing hard duty, but their zeal does not relax.

The Memorial des Pyrenees, of Pau, of the 23d inst. has the following: "After the recent repeated success of the Spanish Carlists some decisive event was expected. No important news, however, has arrived. But it seems that the insurrection is becoming organized in Castile, and some Navarrese battalions are preparing to march to the frontiers of that province, to support Merino, who, after a long repose, has reappeared upon the stage. The insurgents are now masters of all the ground that served for the theatre of war. They scour in all directions without restraint, and the queen's troops, powerless or weak, are obliged to keep within certain towns, where they cannot obtain, without difficulty, the provisions and ammunition which they need."

Paris, May 27. We this moment learn that Puerta La Reyna has been evacuated as Vilalba had been; but the queen's troops have fallen back, not on Pampeluna, but on the Ebro. Thus the Christinos will soon have no position north of the Ebro but St. Sebastian, Pampeluna, Vittoria and Elisondo, and even these last positions appear to be seriously threatened. But a more important fact is announced to us. The Carlist general Moreno is stated to have crossed the Ebro to open a communication with Merino in Old Castile.

BRITISH WEST INDIES.

We have received per the Orbit regular files of the Royal Gazette and Kingston Chronicle to the 13th June inclusive, says a New York paper. Their contents are generally of a local nature.

Twenty-four emigrants had arrived at Kingston from St. Michaels. They are principally gardeners, and it is said may be rendered extremely useful on plantations. The Chronicle says that in the event of their thriving and succeeding, no difficulty will be experienced in procuring some thousands of them to keep up the cultivation of the soil.

Numerous complaints are raised against the governor of the island, in consequence, it is stated, of his fondness for intermeddling with the magistrates. One of the papers remarks, "if his excellency is determined to persist in such a system, the magistracy had better resign their commissions, and place the whole of the judicial power at his disposal."

Considerable confusion seems to exist in consequence of the indolence of the negroes, and there appears an enormous deficiency in the quantity of sugar shipped in 1835, as compared with the corresponding period last year.

We extract the following paragraph from the Montego Bay Standard:

Some of the vessels which have sailed from this port this year, have gone considerably short of their usual cargo of sugar and rum; and several of those now in the harbor will do the same. Disheartening as this circumstance is, we have yet to add one still more so; the ship Janet, Chalmers, left our shore, yesterday, for London, in ballast! every effort to procure for her a cask of sugar or rum having proved ineffectual. But this is not all; the people of England have been so long deceived by the reports of the "successful" working of the new system, sent home by his excellency and his satellites, to whom he had written for favorable accounts under their "judicious management," that no credit has been given to gentlemen who have written to their constituents fair and accurate statements of the situation of the island. At all events they have been told "that the accounts received from Jamaica are very contradictory; and many of them, not suspecting the system of intentional deception which has been practised on them, have been induced to believe the most favorable reports—especially as they had been informed of the prosperous appearance of the island up to the first of August. It was under these impressions, no doubt, that the Messrs. Dawsons, of London, wrote on the 15th of April last, to captain Chalmers to say that "they intended to send out the Waterhly, to take what sugar and rum the Juliet might leave." Is it not most reprehensible, thus to sacrifice private interests for the sake of deluding the public for a few months, and that on a subject of vital importance? Some of our friends in England will find to their cost, that the declarations of a great personage, whether made in the Caribean or Mediterranean sea, are entitled to equal confidence. The whigs are now in. Will the marquis of Sligo repeat to them the assurance of the successful issue of their projects in this country?

From Jamaica papers of the 15th ult.

On Friday last the apprentices belonging to Sterling Castle estate, in the parish of St. Andrew, broke out into acts of the most outrageous violence.

The women had a quarrel among themselves, and set to work in the most feminine manner, tearing the clothes off each other's persons, and committing every species of violence, which would disgrace the most savage tribes. The men at last took part in the affray, and had recourse to their hoes, bills, and cutlasses, as weapons of offence! The overseer, book-keeper, and several of the estates' constables promptly went to the scene of action, when a momentary cessation of hostilities took place, and the ire of the whole of the belligerents was directed toward those who went to command the peace! The overseer and constables were obliged to retreat, in order to save their lives from the fury of the gang! An express was immediately sent to require the attendance of Mr. Lloyd, the special magistrate, who with his usual promptitude, repaired to the property, and by his personal determination, soon brought the whole to reason. An investigation took place on the spot, and of a most painful nature, as it clearly exhibited what the conduct of our present peasantry will be, when placed beyond the control of their masters!

Kingston, June 15. By his majesty's brig Serpent, which arrived here on Friday last, from the Caymanas, we learn that the negroes, lately declared free by our worthy governor's proclamation, have left the service of their former masters, and avowed their intention of establishing *a town of their own!* The consequences of this are, that the females of the families of their late owners, are obliged to perform the most menial domestic offices, while the males are tilling the soil for subsistence. This is a striking specimen of what will be the condition of Jamaica, in the year 1840, notwithstanding the anxiety of lord Sligo and his TOADIES to impress a belief that the system is now working—and that it will ultimately work well!! The special magistrate can be of no further use in the Caymanas, as his mission, which was never legal, must now terminate as a matter of course.

DEATH OF MRS. HEMANS.

From the Philadelphia Inquirer.

This accomplished and gifted lady is no more! She died in Dublin, on the evening of Saturday, the 18th of May, resigned

to her fate, which she met with the calm composure of a Christian. She has gone to that blessed country "where death may not enter, and sin cannot stain"—"where the wicked cease from troubling, and the weary are at rest."

In recording the demise of this distinguished woman, we cannot but indulge in a train of sweet and solemn recollections. We cannot but remember that she has moved and swayed innumerable hearts by the sweetness of her pathos—by the vivid and admirable delineations of nature which shine through all her verses, and by the ennobling and delicate sentiments which thrill through every poem from her pen. If there was ever a being, who, while yet a mortal, became essentially disembodied and spiritual, it was Mrs. Hemans. She learned to live and move in a spirit world. Her affections were centred on the last and the beloved; on those who had gone before her into the vale of death, and fallen asleep upon the bosom of the earth, never again to awaken. Who does not call to mind a thousand solemn, yet glorious thoughts—a thousand impulses of soft and tender affection that have been aroused in the mind, on perusing the chastended and delicate effusions of this daughter of glory? Who has not felt that he owed to her lays, some of his deepest and richest emotions?

But, she has gone; and we are left to remember that few, or none, will be found to fill her place. Her style was peculiarly her own: it was tender and touching—feminine, yet lovely. All the dear charities and feelings that made the fireside holy, and gave a charm to the domestic affections—all these were hers, in rich and beautiful profusion. There was a *romance* in every thing she did; yet it was the romance of nature and of the heart; it was that truth, which is "stronger than fiction." No poet, living or dead, ever possessed a more harmonious ear. Her numbers melted upon the mind, like the deep echoes of a flute at evening, or the pealing of an organ in some ancient and time-worn cathedral.

But, we forbear. We call to mind so many effusions from her pen that have delighted us; we remember so many traits of lofty genius, and unsullied feeling, in which this lady has written, that we can scarcely conceive any eulogy which would exceed her deserts. We rejoice that she died in the assurance of that holy and religious faith which she has done so much to uphold and illustrate, and in the firm belief that her spirit is now reposing in that glorious clime where her aspirations have long been centered—in the mansions of rest.

"Thou art gone from us, our sister—but we have no tears to shed,
For we know that thou art numbered with the blessed holy dead:
And in that continual city, to which sin can never come,
Hast found, through grace in Christ our Lord, a welcome and a home."

OFFICIAL.

Navy department, 3d July, 1835.

The board of examination recently convened at Baltimore, composed of captains—

HENRY E. BALLARD, president,
A. J. DALLAS,
WM. COMPTON BOLTON,
ALEX. CLAXTON and
LAURENCE KEARNEY, } members,

has closed its duties.

The following is a list of the midshipmen who passed arranged in the order assigned them by the board:

Class 1827.
M. G. L. Claiborne.

Class 1829.

1 Oliver H. Perry,	16 George Wycke,
2 Charles W. Morris,	17 Octavius Fairfax,
3 Joshua Humphreys,	18 T. A. M. Craven,
4 Richard Bache,	19 Dominick Lynch,
5 Francis E. Barry,	20 Francis B. Renshaw,
6 Joseph Underwood,	21 Addison R. Taliaferro,
7 John B. Dale,	22 Horace N. Harrison,
8 Stephen Decatur,	23 James H. North,
9 William L. Maury,	24 Robert B. Pegram,
10 David D. Potter,	25 Edward C. Ward,
11 Edw. C. Bowers,	26 Richard G. Cogdell,
12 Montford S. Stokes,	27 Matthew S. Pitcher,
13 Nathaniel G. Bay,	28 James Anderson,
14 Thomas Budd,	29 Charles Thomas.
15 Andw. F. V. Gray,	

MILITARY—OFFICIAL.

Head quarters of the army, adjutant general's office, Washington, June 23d, 1835.

1. The major general commanding the army, has received from brevet major general Scott, commanding the eastern department, the proceedings of the general court martial convened at Fort Columbus, in the harbor of New York, pursuant to *order* No. 24, dated April 14, 1835, issued at the head quarters of that department, of which court brevet major L. Whiting, of the 4th regiment of artillery, is *president:* captain J. Munroe, lieutenants C. O. Collins, S. H. Drum, W. H. Emory, all of the 4th regiment of artillery, *members;* and captain H. Brown, judge advocate. This court martial having disregarded the duties enjoined upon courts martial, in reference to receiving evidence when offered by the judge advocate, in cases in which prisoners plead "*guilty*," as directed in "order" No. 23, of 1830; and also disregarded the opinion of the attorney general of the 11th April, 1834, promulgated for the general information of the army, in "order" No. 32, of 1834, major general Scott ordered the court, in consequence thereof, to reconvene, and reconsider its proceedings. The court did reconvene, and came to the determination, "that as it had maturely considered the case, it saw no reason to alter its proceedings."

As the course pursued by the court martial was directly in the face of the law and the regulations governing the proceedings of courts martial, the major general commanding the army felt it his duty to submit the case to the president of the United States, and to bring the conduct of the court to his consideration. The president has been pleased to give the following order thereon, which is published for the particular instruction of the members of the court martial in question, and for the information of the army in general:

"The president of the United States, after a full examination of the proceedings of the general court martial, of which brevet major L. Whiting is president, cannot but disapprove of the course pursued by the court in refusing to take testimony in a case in which the prisoner plead guilty, and where the penalty for the offences charged was discretionary with the court, especially when such testimony was tendered by the judge advocate.

"In referring to the proceedings in the case of private Dougherty, it appears that the court violated the rules of law prescribed by all enlightened jurists upon this subject, as well as the general order of the 8th May, 1830, and the subsequent general order of the 22d of April, 1834. The court appears to have done this after its departure from the rules laid down for the government of courts martial was brought to its notice by major general Scott, which makes its procedure more exceptionable, as it would seem that this act was in contempt of the regulations for the government of courts martial—conduct highly improper, and which the president disapproves.

"It is with extreme regret that the president has seen of late, in the proceedings of various courts martial, not only a great irregularity in the proceedings themselves, but also an unpardonable carelessness in the manner of recording them.

"Whilst the president has thought proper thus to express himself upon the subject, he indulges the hope that, in future, courts martial will conform more strictly to the laws and to the rules established by the general orders herein referred to; and he would recommend it as a matter of duty to all officers who may be liable to be employed on courts martial, to make themselves acquainted with the laws and regulations applicable to that service, as the discipline and reputation of the army are deeply involved in the manner in which military courts are conducted, and justice administered.

ANDREW JACKSON."

2. The major general commanding the army directs that the proceedings of the general courts martial of which brevet major *Levi Whiting* is president, be returned to the head quarters of the eastern department, for the final action of the commanding general thereof.

By order of ALEXANDER MACOMB,
Major general, commanding in chief.
R. JONES, *adjutant general.*

RECIPROCAL COMPLIMENTS.

Mr. Livingston, our late minister in France, has presented a superb gold box to commodore Elliott, in return for the commodore's kind attentions to himself and family, on their homeward voyage. The box is beautifully chased, with the commodore's initials on the outer lid, and bearing the inscription within—

"A Souvenir of the Constitution, to commodore Elliott, from his friend, Edward Livingston."

The following is the letter of presentation, with the reply:

City hotel, 22d June, 1835.

DEAR SIR: Men, whose minds are properly disposed, seldom remember the good offices which they take so much pleasure in performing. To counteract, as far as possible, this propensity in which you might be apt to indulge, I pray you to accept a trifling memento, which may recall to your recollection the kind attentions which I and my family received from you on board of the Constitution, under your command. With it, I pray you, sir, to receive the assurance of my highest esteem, and of the sense I shall always entertain of your unceasing endeavors to render our passage agreeable. Your friend, and most obedient servant, EDWARD LIVINGSTON.

Commodore J. D. Elliott, U. S. frigate Constitution.

U. S. frigate Constitution, June 27th, 1835.

DEAR SIR: Permit me to acknowledge your very flattering note, accompanying the beautiful gold box, my acceptance of which you have done me the honor to request. Unmerited and unexpected as it is, it will be cherished in my family as an heirloom, to be preserved to the latest posterity; and as happily connecting a memorable event in our national history, with the recollection of a statesman, whose fame rests not on opinion, but in the records of the jurisprudence, the legislation and the diplomacy of our country; and above all, in his *demonstrations of attachment* to the *constitution*. Deeply sensible of the responsible and peculiar service to which I had been called by the venerated chief magistrate of the nation, and having been a witness to the delicacy of your situation, at the court of France, in the present crisis, my feelings were keenly sensitive to the execution of the trust. I shall esteem myself more than fortunate, if in the discharge of my duty I have rendered myself wor-

thy of the compliment which you have thus bestowed upon me. Be pleased to present my affectionate regards to your amiable lady and daughter, whose fortitude looked above the privations incident to a protracted and boisterous passage across the Atlantic, and whose presence did not interfere with the personal convenience of the commander nor with the exact discipline of a ship of war. Your friend, J. D. ELLIOTT.

The honorable *Edward Livingston.*

DIPLOMATIC CORRESPONDENCE—EXTRA.

For what purpose we cannot well conceive, the subjoined correspondence, which will sufficiently explain itself, has been made public through the New York papers.

Mr. JAUNCEY, in presenting his compliments to his excellency Mr. LIVINGSTON, asks the favor of him to include his and Mrs. JAUNCEY's name on the list for presentation at court, which he is informed will take place soon. *Rue d'Astrog, 22d December.*

Mr. LIVINGSTON regrets that it is entirely out of his power to comply with Mr. JAUNCEY's request, as the list for presentation has been sometime since closed and presented. *Monday morning.*

Rue d'Astrog, No. 6, 25th December, 1834.

DEAR SIR: My son, James Jauncey, had the honor to address a note to your excellency on the 22d instant, asking the favor that his and Mrs. Jauncey's names might be included in your list for presentation at court, to which you have been pleased to reply, that it had been sent in already. I have now the authority of one of the aids de camp of his majesty, also one of the dames d'honneur of the queen, to acquaint you, that it is the usual and acknowledged practice of foreign ministers at this court, to add, at pleasure, to their list, up to the day of presentation, and that the day for the purpose has not yet been fixed by the court; therefore, I now reiterate the request of my son, in the full persuasion that you will not designedly withhold his privilege as a citizen of the United States. I have the honor to be, most respectfully, your obedient humble servant,

HERMAN THORN.

To his excellency, Edward Livingston, esq. envoy extraordinary and min. plen'y from the U. States.

Paris, December 25th, 1834.

SIR: The tone of your letter, just received, demanding as a right what can only be considered as an act of courtesy, would, of itself, be a sufficient reason for declining to comply with it.

The trouble you have taken to inform me of the usages of the court was a useless one, I am sufficiently acquainted with them, but must be allowed to judge of the occasion on which it would be proper to avail myself of the facilities they afford. Although it might be dispensed from entering into any further explanations, I will add, that at the time I received Mr. Jauncey's application, my list for presentation was quite as large as I thought discretion would permit me to make it; and similar requests from other of my fellow citizens had, for that reason, been refused. I am, sir, your most obedient servant,

EDW. LIVINGSTON.

Mr. Thorn.

Rue d'Astrog, 26th December, 1834.

DEAR SIR: I fear there has been some mistake in the terms of my note respecting the presentation, which I should extremely regret, as I hope you know me too well to suppose I could *intentionally* offend so obliging a friend.

Your explanation is in every way satisfactory; and convinces me that I have no occasion to alter the opinion I had already formed as to the straight forward and gentleman-like feelings that dictated it. But, as some dissatisfaction is liable to be felt by our fellow citizens who have families like myself lying at the "discretion" and "courtesy" of future American ministers, whose manner might be less conciliating than your own, to present them at foreign courts, I think I may rely on your disinterestedness, that you will rather approve than object to my sending home a copy of our present correspondence. I have the honor to be, dear sir, most faithfully, your obedient humble servant, HERMAN THORN.

To his excellency, Edward Livingston, esq. envoy extraordinary and min. plen'y from the U. States.

Rue d'Astrog, No. 6, 3d January, 1835.

DEAR SIR: Not having been favored with any notice of the letter which I had the honor of addressing to your excellency on the 26th December, I am almost afraid it may have given some fresh offence. Allow me here with every deference, to submit a few thoughts on the merits of the case purely as a *public* question. Though I am convinced the omission of my son and daughter in-law's names from the list of presentation could not have the most remote connexion with design or unkindness, yet who can answer for a future minister, that the exclusion of our fellow citizens might not proceed from the most wanton caprice. It might be some foul instigation of the passions, or of an enemy; aye, or even the whim of a mistress or a wife. Such things, we know, have happened, and we surely are justified to try and guard against American gentlemen being placed in a position to have their feelings trifled with, if not themselves looked down upon by gentlemen of other nations. The subjects of a monarchy are saved from this, since if they have been presented at their own court, their application to be presented at a foreign one cannot be refused. Whether some equivalent arrangement might not be made under a republic it is not for me to say, but it appears to me the matter is worthy of being submitted. You will therefore probably have no objection to transmit a copy of our correspondence to the secretary of state, as I mean to do to-morrow by the ordinary conveyance. Your letter to me is a volume of evidence and weighty authority on the bearings of the question.

There is rather a striking mis-apprehension in your letter. In reply to my note conveying the information I received on the subject of presentations, you say I demanded as a right what could only be considered as a courtesy. Now, surely, if I had thought the presentation could have been demanded as a right, I should have so demanded it, at once, without troubling your courtesy at all. It is precisely because no American can demand it as a right, that, as a public document, I regarded your letter so valuable in showing it ought to be no longer a matter of courtesy.

I must beg your excellency will dismiss from your mind all idea that it is any personal feeling which dictates this step. Your treatment of my family, be assured, has no other than an accidental connection with the present purpose, of which it is some time since I first conceived the idea, suggested by the complaints of others similarly circumstanced with myself. Right or wrong, I consider it a duty I owe to my fellow citizens. It may not be out of place, before I conclude, just to observe, in passing, that your reception or exclusion of my own special family from your list of court presentation, could not very materially affect me, as we have long since been honored with the gracious attention and hospitalities of the royal family of France. I have the honor to be, your excellency's most obedient humble servant, HERMAN THORN.

To his excellency, *Edward Livingston, esq. envoy extraordinary and minister plenipotentiary, &c.*

Paris, 3d January, 1835.

SIR: Considering your letter of the 26th December as written for the sole purpose of announcing your intention of transmitting mine to the United States, to which I could not have the slightest objection, I did not think any answer to it was necessary, more especially as the subject had already, in various ways, obliged me to give to it much more of my time and attention than a matter forming no part of my official duty ought to have done.

I must therefore pray you, sir, to excuse me for declining to enter with you into any discussion on what you think are the merits of the case, for which I have neither the time nor the inclination. I am, sir, respectfully, your obedient servant,

EDW'D. LIVINGSTON

H. Thorn, esq.

Rue d'Astrog, No. 6, Jan. 4, 1835.

SIR: I have the honor to transmit for your perusal the enclosed documents. As they explain themselves, I shall not add to the trouble I am giving by unnecessarily extending that explanation. I have the honor to be, your most obedient, humble servant, HERMAN THORN.

John Forsyth, esq. secretary of state of the United States, Washington.

Rue d'Astrog, No. 6, Jan. 13, 1835.

DEAR SIR: I have the honor to transmit to your excellency the enclosed documents, addressed to the secretary of state of the United States, for your perusal, in the hope that you will forward them with your despatches. I have the honor to be your excellency's most obedient humble servant,

HERMAN THORN.

To his excellency, *Edward Livingston, esq. envoy extraordinary and minister plenipotentiary, &c.*

OHIO AND MICHIGAN.

Among the documents submitted by the governor of Ohio are the following. They are of the same date, but have a very different tendency.

Washington, March 14, 1835.

DEAR SIR: I have forborne writing to you, for the reason that I knew you were sufficiently advised, by our other friends, of the opinions here in reference to the interesting subject of our northern boundary, and for the additional reason that their time was less occupied than mine. Mr. Hamer has written to you to-day, and gives you the particulars of the interview which took place between the president, himself and myself, this morning. Since that time, I have met with the delegate (Mr. Lyon) and judge (gen.) Doty, of the territory, and brought them to our quarters (which they have just left); I endeavored to impress them with the belief that the *mere running of the line* was no *direct* assertion of jurisdiction, and not the proper place for them to break out. That when that was done, as done it would be, it would be discretionary with the state, or yourself, whether you would push matters further, before the meeting of congress. The president has determined to make this a prominent point in his next message, and in answer to our apprehensions as to the probable admission of Michigan into the union, by a coalition (the result of a common jealousy) between the northern and southern states against Ohio, without a settlement of this question—*he declared his fixed determination to apply his veto to any bill which should make it a state before the set-*

tlement of the boundary difficulty. He is extremely anxious for peaceful and prudent measures. You, sir, are the *only*, the *exclusive* and the best judge of the point where you are permitted to stop or compromise at. The legislature has done its duty—it is for the executive to decide how far he may delay, under any and all circumstances, the execution of its mandates. If you should resolve on *going the whole*, please inform me at Cincinnati; I shall be proud and happy to follow your lead, in whatever it may result; and I entreat you only if you are to accompany in *person* the commissioners, that you will, on no account, start without me.

I believe, in candor, that in this event you will most likely meet with a rude reception. At all events, I am anxious to share with you any perils that may await the enterprise. I have not forgotten that I am a member of the executive family (military, I mean), or what becomes a *native* of Ohio.

I shall write you again in a few days. I shall leave this on Thursday. Please on the receipt direct to Cincinnati. In haste, your friend, and humble servant, ROB'T T. LYTLE.

His excellency, *Rob't Lucas.*

Department of state, Washington, March 14, 1835.

SIR: The acting governor of Michigan has made known to the president his apprehension, that collision may take place between the authorities of that territory and those of the state of Ohio, in consequence of measures about to be taken for extending the jurisdiction of that state over the territory in dispute between Ohio and Michigan. The president, confident that both parties will do justice to his motives, has instructed me to express to your excellency and to the acting governor of Michigan his earnest hopes, that the exercise of mutual forbearance and prudence will render such a result impossible; he trusts that both parties will see that the question at issue is one which, from its nature, does not admit of any other than a peaceful decision. It appears to him, that as the state of Ohio has already brought the subject before congress, it should be left for the action of that body. *In any event, the formation of a state government in Michigan will soon afford an opportunity of obtaining a judicial decision.* It is with these views that he has directed me to make this appeal to the forbearance of both parties, who, however they may be geographically divided, must be fully sensible of those obligations which they owe to each other as parts of the same great political family. I have the honor to be your excellency's most obedient servant,

JOHN FORSYTH, *secretary of state.*

His excellency, *Robert Lucas, gov. of Ohio.*

COL. JOHNSON'S ACCEPTANCE.

May 23, 1835.

SIR: A convention of republican delegates from various parts of the union, for the purpose of selecting suitable candidates for the offices of president and vice president, assembled in Baltimore on the 20th instant, and agreed to present to their country, your name for that of vice president of the United States. We have been requested to communicate to you this nomination, and ask your acceptance of the same. We take pleasure in performing this duty, and respectfully solicit an answer at such time as may suit your convenience to give one. With sentiments of high esteem, and respect, we have the honor to be, your obedient servants,

A. STEVENSON, *president.*
JAMES FENNER,
EDWARD CONDIT,
UPTON S. HEATH,
R. STRANGE,
J. B. NEVITT,
FRANKLIN CANNON,
vice presidents of the national convention.

To Richard M. Johnson, esq. of Kentucky.

Great Crossings, 9th June, 1835.

GENTLEMEN: I have had the honor to receive your letter informing me that I have been nominated by the recent republican convention at Baltimore, as a candidate for the office of vice president.

For this expression of confidence from the republican party of the union, I have not language to express my gratitude. For the exalted talents, pure character and sound principles of the gentleman, whose name was brought in competition with mine, no man can have a higher respect than myself; and had he been preferred by the convention, it would have afforded me the highest pleasure to give him my cordial support. To my greater age and longer public service, and not to superior qualifications, can I attribute the preference of the convention; and if any injury should accrue to the republican cause from that preference, no man will deplore it more than myself. As, however, the convention were undoubtedly better qualified to judge on that point, than one or a few individuals possibly can be, I have but to accept the proffered nomination, and resign myself to the will of the people, as it may be expressed at the polls. The gratification I feel at the honor done me is not unmingled with regret—a regret, arising not from the preference of another by a portion of the convention, but from the error under which they appear to have labored in relation to my political principles. I do not know myself, if my principles do not accord with those of Thomas Jefferson, the patriarch of republicanism, and his disciples who constituted the late convention. During almost the whole period comprised in the administrations of Jefferson, Madison and Monroe, I was a member of congress and gave them my cordial support. From the earliest moment I uniformly acted with the republican party founded on the principles asserted by Virginia in 1798, and never withheld my support on any occasion, from either of the distinguished men, who, in succession, became the representatives of these principles at the head of the government, save only in the struggle of 1814, '15 and '16, for the establishment of a national bank. President Madison then, and many of my republican associates in congress, who concurred with me in principle, felt themselves constrained to yield up their objections to what they considered the highest law—public necessity. I continued to believe the remedy worse than the disease. I had voted against the recharter of the old bank of the United States, in 1811, from a conviction of its dangerous tendencies as well as its unconstitutionality. Upon the same grounds I felt constrained to vote against the establishment of the present bank in 1816, although advocated by the administration to which I was attached. I voted against the bill to recharter this bank in 1832. In 1834 I voted for Mr. Polk's resolution, declaring, that the bank of the United States ought not to be rechartered, and I defended the president's measure in regard to the removal of the public deposites, at every point at which it was assailed, with a view to sever the connection between the government and the bank, and to make sure of a final deliverance from the institution. Indeed, I have never wavered in my opinion against its constitutionality, and have never seen the moment when I would have given my vote for any similar institution. I cannot conceive how the opinion got abroad that I was in favor of the bank or of any such unconstitutional monopoly, unless it be from the circumstance, that I did not, with the ardor of younger politicians, pledge myself against every possible substitute for the present bank. General Jackson, in one of his annual messages, suggested the outlines of a substitute without stockholders or power to make loans, as I understood it; and in his veto message, he declared that he could have furnished a plan which would not be liable to constitutional objections. Many of his friends believed that it would be absolutely necessary to have some substitute, and suggested a variety of schemes. To all these I listened, without giving my assent to any, and never for a moment did I harbor a thought of proposing or supporting any one, except in the event of a failure in the experiment to use the state banks; and then only such a scheme as should be entirely free from constitutional objections, and have the approbation of the administration and the republican party.

The recent developments of the power of doing mischief possessed by a national bank, and the uncontrolable tendency to use this power to direct the politics of the country, have satisfied me that no such institution should be tolerated, under any circumstances. The facility and success with which the public business has recently been done through the state banks, have, in my opinion, proved that a national institution is as unnecessary as it is unsafe and unconstitutional.

In relation to the tariff, my views appear also not to be understood. At the close of the last war, the general sentiment seemed to prevail among our eminent statesmen, especially those who had supported the government in that conflict, that it was the true policy of the government so to regulate the tariff, as to promote the establishment of manufactures within our borders. In this opinion, many of the statesmen from the south united with those of the middle and western states. Without being distinguished as a peculiar advocate of the course of legislation which grew up under these circumstances, I gave it my support in pursuance of public opinion. As soon, however, as I perceived the dangers which were likely to grow out of this species of legislation pushed to success, I became an advocate for the reduction of the tariff, and voted for every proposition having that end in view, down to and including the compromise, which was made at the session of 1832-3. That compromise ought to be considered by all good citizens as putting an end to the question. No prudent and patriotic man will, I am sure, ever attempt a renewal of that species of legislation. For myself, I can sincerely say, that I should consider any attempt of that sort as savouring of enmity to the government, inasmuch as it is unnecessary as a measure of policy, and would certainly revive a controversy more dangerous to our union than any other which has arisen since the adoption of the federal constitution. The preservation of the union, and the harmony of its members, are incomparably more important than any system of legislation which regards only the pecuniary interests of a portion of the people.

The same remarks are applicable, in a great degree, to the subject of internal improvements. In relation to them, it may also be observed, that the success of the several states, in their prosecution, and the great local interests vested in them, together with the consideration that the states manage their concerns with more care and economy than the general government, are persuasive arguments against federal interference in them hereafter, beyond such works as are universally conceded to be of a national character.

In fine, I consider the views of president Jackson, on the tariff and internal improvements, as founded in true wisdom; and as far as I may hereafter be enabled, it will be my earnest endeavor to give them efficacy in the administration of the government.

On these leading subjects, I felt it my duty to touch, because it seems to have been erroneously apprehended by some, that I would be disposed to use the influence of high official station, to restore an expiring monopoly, and certain mischievous sys-

tems of policy which experience has exploded. It is mortifying to me, that such an impression should have obtained any credence whatever, since the steady, though not boisterous support, which I have given to the president in his persevering and successful warfare on those systems. So far from entertaining any such design or desire, I look upon myself as selected by the convention, for the purpose of aiding to make permanent the principles and policy in the administration of our government, which have recently been sanctioned by such decided marks of public approbation, and to which I am pledged alike by inclination and duty.

On other subjects, a public life of thirty years' uninterrupted activity, has, I trust, been sufficient to enable my countrymen to understand my principles and my motives of action. I believe no man will charge me with dereliction of duty towards my country, or my countrymen. In devotion to my country, no one will say that I have been wanting; and I trust, that mine has not been "a faith without works." My constituents have never charged me with neglect of their interests, collectively or individually; and, to an American citizen, complaining of wrong, and asking the aid of a friend, wherever residing, or however poor, unknown and humble, I have never turned a deaf ear, or refused to labor for him, as for a brother. To this faithfulness, and these exertions to be useful, more than to any extraordinary qualifications in me, do I attribute the honor which the convention have done me; and should the people respond favorably to the recommendation of that body, my highest political ambition will be more than satisfied. It will be a confirmation, by the voice of my whole country, of the repeated proofs of approbation given by the people of my own state, to the well-meant labors of a life devoted to the service of the nation.

But, whatever may be the fate of the recommendation which I have received from the kind partiality of the members of the convention, coming from almost every state in the union, as the representatives of the democratic party, with which it has been my pride to act, throughout my public career, I shall ever cherish, with the most affectionate recollections, a deep sense of the obligation they have conferred.

You will please, gentlemen, to accept the assurances of my high respect and consideration, while I remain most respectfully, your friend and fellow citizen, R. M. JOHNSON.

To Messrs. Andrew Stevenson, president, James Fenner, Edward Condit, Upton S. Heath, R. Strange, J. B. Nevitt, Franklin Cannon, vice presidents.

MR. BELL'S SPEECH,

DELIVERED AT VAUXHALL, NASHVILLE.

From the Nashville Banner.

GENTLEMEN: This is the first entertainment of the kind, which I have accepted from my friends, when offered as a testimony of their esteem and approbation of my public course. Such occasions, I know, are sometimes got up, rather as a mark of the friendship of individuals, than a demonstration of the general sentiment of the country. Sometimes, too, for political considerations, public men are made the objects of public attention, when personal regard or confidence are felt by scarcely any. Upon this occasion, whatever political considerations may have prompted it, I feel a more than usual degree of pleasure in the reflection, that these are my personal friends—and, in responding to the sentiment, so flattering to my feelings, which has just been announced from the chair, I can only offer the tribute of a heart, warm and keenly alive to all the sympathies naturally inspired by this open and public manifestation of your generous and unaltered attachment. Sometimes, in our passage through life, we may undervalue the advantages of ties, of which, it is not every one who will admit the reality; and there are others, who hold many things, money, official station and power, of such superior importance, that they are to be sought and attained at the expense of all the indulgencies of private partialities and confidence. This may be the true philosophy of mere politicians; but it is worthy to be remembered, that the sacred love of country itself, is of the nature of the social and private virtues, founded upon the same affections of the human heart, and he that can be insensible and faithless to the obligations of the one, will be equally false to the other, whenever it shall serve his more cherished interest to be so.

I have been, of late, the subject of much obloquy, as you know, and from a quarter, too, whence I deserved better treatment. I am still the object of most inveterate and persevering attacks, both here and elsewhere. As in all cases of the kind, there is something political, and something personal, in their origin. In ordinary times, I might have hoped to escape the ire of any party, or any considerable portion of any party, for I believe I am not distinguished as a partisan, nor am I qualified by my feelings or principles, to become one. For the same reasons, I can never hope to be the favorite of partisans. These are not, however, ordinary times. But still, I do not believe I could have been made the object of a concerted party attack, for any part I have recently taken in the politics of the country, if the more active and inventive genius of private and rival hostility at home, had not interfered, and grossly misrepresented, both my motives and my conduct. (Cheers.)

But, gentlemen, notwithstanding the interest which my friends take in all that concerns me, and my own sensibility to every unfair proceeding of my opponents, all that is merely personal, is, at the same time, individual, and comparatively innoxious in its effects. As to so much of the ground which has been taken against me, as involves public principles and public interests, it is the country that is concerned; and although I may allude to some passages which relate to myself, I would but ill requite your friendship, if I occupied that portion of your time, which it is customary, in this manner, and upon occasions of this kind, to subtract from the hours devoted to festive enjoyment, in a narrative of my own grievances, when topics of so much greater interest press upon our attention.

I have been eight years in the public service, and all the time your immediate representative in congress. I have been, thus, by your favor, placed upon an eminence, from which I could take a survey of the whole country; all its interests, economical and political. I have been, at no time, so blindly attached to one party, or opposed to another, as to be insensible to the motives which probably actuated both. I have been, at the same time, not an inattentive observer, chiefly anxious to watch and note the peculiar tendencies of our system of government—what the dangers which most beset it, what the points most exposed to attack, and what those to be particularly guarded. In common with my countrymen, generally, I had been educated in the creed, that our form of government was the best that had ever been devised by the wisdom of man, for the security of the rights, interests and happiness of the citizens. In common with many of them, I had often revelled in a vision of its permanence, and pained my fancy, in the attempt to conceive the magnitude of its destiny; the result of ages upon ages of improvement, in a society composed of millions; starting from a point already so elevated in the enjoyment of quiet, freedom and plenty. But the voice of history whispered in my ear, man, "thy dream is idle, thy hope is vain!" and I have reasoned with myself, and inquired, why should it be so. With the benefit of the experience of thousands of years, and with a system of government improved and modelled upon that experience, have we no better ground of hope? Even in governments much less perfect, we have been taught to believe, that the radical vice which was in them, and which overthrew them, was their inability to resist the storms of faction, or those convulsive struggles for power, to which free states are so subject. Then, another question was, whether there was not something in the federative character of our system, and the extent of its territory, which exposed it in a peculiar manner, to the assaults of faction, admitting it to be far more perfect in other respects than all the free governments that had gone before.

Though acting with a party, with the principles of which, in the main, I agree, and, to which, so far as principle has been concerned, I have in every instance, been not only faithful but devoted; yet more intent upon the solution of these problems than zealous in promoting the success of every party movement, I am aware that I have sometimes incurred the censure of some for what appeared to them to be indifference or aversion. It will be a circumstance, in my course, to which, as long as I live, I can revert with conscious satisfaction, that I have ever opposed, what appeared to me, to be excesses in the party, with which I have acted, with all the influence I could employ, and in the only way in which I could do so, without injury to its principles. While I have studied to make myself useful, I have never set myself up as a leader of *the* party or of *a* party. It requires a larger stock of information and experience than usually falls to the lot of any man of my age, to justify such an assumption of authority and influence. The leaders of the two great parties upon the joint action of which, every interest of the country has been more or less dependent for the last eight or ten years, belong to a generation with which I could not be fully identified either in responsibility or influence. For whatever of good or of evil has resulted, they are entitled as they will receive, all the applause in one case, and all the censure in the other.

No period since the foundation of the government could be more advantageously chosen for the complete gratification of my views, than the one in which I have been in public life. It is a pleasing as well as instructive employment, to mark the correspondencies between what we see going on around us, and before us, with similar passages and events which transpired many centuries ago, under circumstances not altogether dissimilar, in many free states, both in ancient and modern times. We observe the same unchanged and unchangeable passions of human nature ever in action; the same individual interests, objects and address; the same ambition and the same fortune in individuals; the same hollow and perfidious professions of devotion to principle and to the people, and still the same disregard of both in practice; the same devices and arts used to mislead the people, in order to govern them; and the same rare occurrence of a true and faithful devotion to the cause of the country, of its constitution and of liberty, uninfluenced by the love of power. The particular form or model of government does not appear to have any effect in modifying the passions and vices of ambition. Though the more perfect it is, undoubtedly, the less liable it will be to be broken up, or to become the convenient instrument of ambitious leaders.

I have been a supporter, and in some instances, not an inefficient one, I hope, of an administration, the most marked and eventful in the history of this country. Many great and exciting questions have arisen and been decided, for good or for evil, there has been a heaving of the political earth; all the strong passions of our nature have been roused and brought into action, by the greatest talents and address on both sides. There has been a convulsive struggle for power, and the first spirits of the age and country have been engaged in it. We have, in truth, in the last eight or ten years, been in a continual state of

moral war; a war in which the same passions and peculiar talents have been conspicuous, which are usually developed in actual physical war; even the last stage of human contention, this last and worst of extremes into which faction often precipitates free states, has been avoided, almost by a miracle. The very fabric of our government has been shaken and convulsed to its centre! It stands! but does it stand altogether unrent? does it stand the same universally cherished asylum of *liberty*, of *peace* and of *happiness*? Have none of its strong ties been shattered or broken? is confidence unimpaired? is the union the same cherished object of the whole American people? No, gentlemen, we cannot indulge the delusion. It would be dangerous to do so. We know and feel but too well, that both at home and abroad, confidence has given place to some distrust, and we can now only *hope* that our constitution, our union and our liberties may endure. How, and wherefore, has this misfortune befallen us, and, not only ourselves, but, in some sense, the whole human family! Has there been any thing so peculiar in the questions that have arisen; any thing essentially productive of dangerous extremes? By no means: how is it and what is it, then, which has led to results so much to be deplored? It is PARTY; that eternal foe to the repose and stability of all free states! (Cheers.) What is party?

In every free community, there will be a diversity of sentiment in relation to the policy and interests of the country, which will give rise to parties. When founded upon principle, and an honest difference of opinion, parties seem to be healthful in their operation in a free state. But as the only way in which a party, in any community, can exhibit their strength and carry out their principles, is, by seeking to conduct the administration of public affairs, and to occupy the high official stations of the government; and as office will always possess other and less worthy, but with many stronger attractions, than any attachment to abstract principle or opinion, it has ever been, and always will be, that whatever may be the manifold diversity of political sentiment, in any country, there can and will be, two grand divisions or parties; the one, in power, and the other, the antagonist party, and who are contending to displace the incumbents; or the *ins* and the *outs*, as they are commonly termed. This division of a whole people into great parties, by no means implies that either party is composed of homogeneous elements, or that all the members of either agree upon all questions of policy or administration; far from it. Besides the great variety of opinion which may and always does exist, among the members of a party whether in or out of power, upon minor points, but who may cohere upon some prime and vital ones, there is a class of politicians who are induced to take an interest in public affairs by the attractions of office only. These will attach themselves, and seek to make themselves serviceable to one or the other of the great parties of the country, according to various circumstances; sometimes of personal attachment to, or hatred of, some leading man of a party; sometimes, of mere caprice; but most generally, upon a careful view of the chances of success.

Besides these, there is, in every community, a class of men, restless, vexed and discontented, at they know not what, desirous of change at all events, and seldom having any definite object in view. These attach themselves to one or the other of the grand party divisions of the country, much upon the same principle of the office seekers. The rank and file of these two classes may be regarded as reckless of consequences in carrying their point, and prepared for any extremity. They seldom look beyond immediate success and gratification. They are, at the same time, the most officious and forward, as well as the most intemperate members of every party. Generally destitute of principle themselves, they are too apt to imagine that all others are so likewise, and they do not scruple to conduct their party operations accordingly. It often happens that these classes get the ascendancy, and in times of high party excitement, they scarcely ever fail to do so, and thus, stamp the whole party, to which they belong, with their own peculiar character. By this means, they drive all moderate and single minded men either into opposition, or from all active participation in the support of their party. These two classes, in every party, are governed precisely by those motives and objects, which, when they extend to a whole party, may properly distinguish it as a faction. Every party has, in it, the elements and materials of faction; or, in other words, of the principles of good and evil; of life and of death. There is a faction belonging to, and connected with, every party, having its separate motives and objects, and free from all the restraints of principle of whatever nature. These constitute the elements of all the mischief that a free state has to fear. There are always the ready and supple instruments and partisans of every man of talents and address, who shall seek to make his power and influence permanent in the government. Their only chance for preferment—their only prospect for the gratification of their ruling passions—rests in violent political feuds, or domestic convulsions. If the administration of the party to which they may belong, shall chance to become generally popular, and the opposition shall languish, they will find means to embroil it. A political calm is death to them. Though the people be universally prosperous and happy—though the government, in all its administrative departments, should go harmoniously forward, these perpetual disturbers of the peace, would set to work and seek to agitate the country, by finding fault with some particular institution or department of the government, as established by the constitution itself; ever conjuring up some imaginary abuse, in the absence of real ones, for correction or reform. In short, there is no form of government, however perfect; no institution, however sacred or useful; nothing that exists in the shape of authority or power, placed by the constitution and laws of the country, beyond the direct and ordinary control of the popular will—but will be the objects of their attack, when they can find no other. A high degree of excitement among the people, or a political convulsion, they must have, or they become blanks in society; they are not even known in times of quiet and harmony. There is no demand, at such times, for their services, by any party; and they, of course, can be entitled to no reward. They are just such men as the better men of the party cannot always get rid of, if they would; whom they too often find it convenient to employ; whom they are sometimes forced to reward; but for whom, they can never entertain a sincere feeling of respect or confidence. It is against the excesses, the machinations, the agitations of these classes of men, of each party, that the good men of both, should be on their guard. If they are not controled, they will, in the end, break down any party to which they belong, or they will overturn the constitution. (Cheers.)

What is to be regretted is, that while there is no man so perfect as to be altogether exempt from error, so is there no institution, no department of the government, without its defects; no body of men concerned in the administration of either, however high the station they fill, or however immaculate they are presumed to be, but will sometimes from passion, sometimes through defect of judgment, commit errors, and thus furnish a handle to the factions, who are ever eager and waiting to pull them down. While there is a shred of constitutional restriction remaining upon the absolute impulsive will of an excited and agitated people, or until the government is dissolved into its original elements, this class is never at rest. This is PARTY.

But such is the natural love of dominion, such the pride of victory in all great minds, that with the purest intentions, and with the best principles, by violent collisions, by the obstinacy of contradiction and opposition in the progress of party, the best men are liable to forget the interests of their country, to become its worst foes, and often, the involuntary instruments of the very lowest class of political agitators.

To a man of talents, but a bad and ambitious one, what higher prize can there be, what greater temptation to peril every thing, to conquer, right or wrong, than the prospect of becoming the first in rank, and first in power, in such a country; a great confederated republic of twenty-four states, enlightened, prosperous and free? To a good man, who may still possess talents and a virtuous ambition, what nobler object to incite his patriotic efforts, to fire his philanthropic vision, than the power to direct the energies of such a people, to form and model the elements of so much excellence, so much happiness to the whole world, to the highest degree of productiveness! But, alas! even this good class of men, when they find themselves opposed, derided, abused, thwarted by men whom they firmly believe to have no other motives, than the gratification of their own selfish ambition, are too apt to come to the conclusion, that it is best for the country and the people, that they should be installed permanently in power; better that the country should be ruled by the absolute sway of good men, than fall a prey to bad ones. This is PARTY.

In the conflicts which often arise in free states between parties, led by men distinguished by their virtues as well as talents on both sides, the leaders on each side are ever quite too ready to believe their opponents to be bad men; and in proportion as this belief strengthens, do they come under the direction of bad councils. The next step in the progress of error, is to imagine the state to be in such danger from the machinations and corruptions of their adversaries, that ordinary remedies are no longer to be relied upon; that a part of the system, the constitution itself may be properly infracted, or broken down, in order to save the whole; and in the end, that all had better be lost, than that wicked men should bear sway; imitating in this respect, the mad and reckless passions which impel military conquerors, in the strife for the possession of a favorite territory, to burn and depopulate its towns and villages, lay waste its fields, its dwellings, and to reduce to a barren wilderness, the rich and smiling inheritance which first tempted their cupidity, rather than give up the pursuit of it. This is PARTY.

How striking the resemblance, how close the analogy between the operations and results of actual physical war, and these civil dissentions and violent party conflicts; we find the same passions in both; the same professed and the same real objects; the professed, the public good—the real, the mastery.

The same species of strategy in both; the same honest intentions of the people on both sides; and, in general, the same dishonest ones in the leaders. When the war is over, or the civil conflict, after a long and fierce struggle, ceases for a while, the same general demoralization ensues—scarcely worse in the one case, than in the other. It is a maxim that when politics run highest, public morals are lowest. The disbanding of the legionaries in the one case, is scarcely less dangerous than in the other: Society is afflicted in both with a large class of men fit in general for no other pursuits than those to which they have been accustomed; and like true mercenaries, ever ready to lend their services to whatever party shall bid highest and pay best.

There is one remarkable result common to both military and merely civil conquests. When the parties are forming which support the one side or the other, and as long as the contest is waged with doubtful success, searches out, and courts the sup-

port of men of the best talents and influence in the country, without limit as to numbers. The moment victory inclines to one side, or power is attained; when rewards are to be bestowed; when the spoils are to be distributed, then jealousy, envy, rivalry and intrigue commence their orgies. One meritorious leader after another, who conquered in the province, or at the capital, is despatched, or exiled, sometimes with all the forms of regular trial; sometimes, with summary justice; sometimes they are artfully driven into rebellion or opposition, to give a color of justice to their condemnation; and sometimes strangled while standing at their posts. (Cheers.) At last, the competition for offices and employment, is narrowed down to a few of the most vigilant and subtle of the numerous host which once might claim an equal share of the honors and emoluments of a victory, won by their joint valor and ability: This is PARTY.—(Great cheering.)

I have said that there was nothing in the questions which have arisen within the last eight or ten years in this country, necessarily productive of the extremes to which they have been carried. I reaffirm the proposition. Nor is there, from my observation, any thing in the federative feature of our system, or in the extent of territory over which it operates, or even in the institution of slavery itself, as established in some of the states, taken together, or separately considered, which essentially impairs the prospect of harmony, duration, and a prosperous action of our system. If we except the danger to the local society in which slavery is admitted, there is no peculiarity in our condition from which we have any thing to fear, except in connexion with the designs of bad men, who have or may acquire, an ascendancy in one or the other of the two parties, which must ever have a decided influence upon the action of the government. Even then, some of these peculiarities are useful, rather than injurious. They present formidable obstacles to the consolidation of power in any one set of men, or any party, founded upon unworthy or bad motives and principles. As long as moderation and the spirit of conciliation shall preside over the administration of the federal government, any faction which shall seek to divide the union, either by rousing a sense of injustice and inequality in the action of the government, in one section, or by seizing upon the delicate and inflammable question of slavery in another, can always be shorn of its strength and defeated in its object, without the slightest convulsive sensation in our system. But the real danger to our system, as in every other system of free government, is, in a violent party action of the government itself. A proscribed and disregarded minority, respectable for its numbers, its talents—and even for the virtues of many of its members, for virtue is never the exclusive attribute of any one party—such a minority is always tempted, in resentment of its real or imaginary wrongs, in redress of its violated privileges as American citizens, in being deprived of all actual participation in the government of the country—compelled to obey laws and be the subjects of a policy, prescribed and directed exclusively by their opponents: such a minority, I repeat, is constantly tempted to seize upon every vexed and irritated question—to make common cause with the spirit of fanaticism itself, in an effort to right, or at all event, to avenge their injuries. This is the danger of our system. It is still PARTY.

I have not yet shewn how it happened, that the questions which have arisen within the last ten years came to excite so unusual a degree of heat and violence. Need I attempt this seriously? What! have we so soon forgotten, that while that party to which we belong was forming; while it was contending for the mastery and even for years afterwards, in some of the large states in which the contest was most fierce and doubtful, each party, one in order to gain, and the other to maintain party ascendancy, and both utterly regardless of all other consequences, contended which should go farthest in the support of both branches of the American system, the tariff and internal improvement? In all history there is not a more striking and characteristic instance of the absurd and head-strong spirit of party. In regard to the tariff, all men of unprejudiced feelings and judgment must have seen, and did see, from the first, that the result would be, either a reaction which might reduce it below a just and expedient standard, or that the union itself would be severed. The immediate consequence of the extremes into which the supports of the tariff, in one section of the union, were driven, in a struggle for political power, was to excite an extreme antagonist action, in another section. The leaders in the anti tariff region sought to counteract the excesses to which they saw the protective policy was like to be carried by a combination in its favor, between both political parties to the north and east, thought it necessary to proceed to equal or greater extremes in order to protect the interests in the minority to the south. This state of parties gave birth to nullification, by which the projectors of it sought to equalize the action of the government by questioning the validity of its regular enactments and seeking to set them aside, upon the authority of a separate state and local construction of federal power. Before a sufficient time was allowed for reason to resume her sway in correcting the excesses into which the spirit of party had hurried both sides, so many political interests—so many personal views and resentments commingled in the strife, that an extreme remedial action of the government itself, became a necessary expedient, in the judgment even of moderate and unprejudiced men, though involving in its issues, civil war, disunion and a total overthrow of the constitution. This is PARTY!

As to the bank, does any one imagine that if there had been no political interests involved, an institution in which, an interest but little more than a single year's revenue of the United States is vested, could ever have become the subject of so many alarms on both sides; of such intense interest and zeal in its support, and of such tremendous efforts in opposition to it? It is only when party takes hold of such a question, for its own uses, that it can be made formidable in any way. It is then only, that such an institution is dangerous. The slightest movement of a popular administration, in ordinary times, would be sufficient to crush such an institution. Nothing but the extreme of party rage and desperation could ever have convulsed the country with such a question, important as it may be, as one merely of financial policy and economy. Do we not know that some of the oldest and most inveterate opponents of the bank, lately inclined to its support, when, to do so, appeared to favor their political views; and, on the other hand, that some who had been its advocates and had always believed in the expediency of such an institution, turned against it, when the tide of political fortune and interest flowed in that direction? What better proof is wanting, to show that the great combustion of feeling and opinion which recently kept the country in such alarm upon this subject, had its origin in the machinations of that common incendiary, in free governments—PARTY?

It is now for the first time in the history of free states solemnly proposed and seriously attempted, to give an organized and systematic party action to the government, under the plausible and delusive pretext, that it is necessary, in order to preserve the great objects for which the government was formed. I regard this plan to defeat the free and natural operations of our system; to transfer that allegiance of the citizen to a party, which is due only to his country; to create a code of laws and regulations which shall control the legal and constitutional mode of elections; or, in other words, through a regular installation of party, to surrender the liberty and institutions of the country to the absolute control of the great enemy of free states, as the most daring, and at the same time, the most dangerous conception of the age.

If I understand the system of party organization and discipline in operation in some of the states, and which is held up as a model to the other states of the union, for their imitation and adoption, it constitutes a political order or association, the distinguishing trait of which is, an ardent attachment to its own interests. A more artful and profound policy, a more perfect adaptation of means to an end, unless I have totally misconceived both its nature and tendency, never existed in any voluntary association, except in the society of the Jesuits, a monastic order of the church of Rome. I desire to speak upon this subject with all due courtesy, and without asperity, so far as persons are concerned, but with all the severity of truth so far as principles and political tendencies are involved. Whatever may have been the praiseworthy motives of the founders of this system, like the religious order to which I have alluded, it has surely been greatly abused, and perverted to ends and purposes the very reverse of its original design. Looking to the principles and tendencies of the system as now perfected and supported in at least one of the states, I cannot help thinking, that the ingenious contexture of the constitution of the Jesuits has been the model from which many hints have been taken, for the improvements which have been engrafted upon it. The analogies between the two systems, though not perfect, are yet too close and palpable to be overlooked, and the necessary results too dangerous to be disregarded. The name assumed, in the one case, was that of the meek founder of our holy religion, and the professed object of the institution was to diffuse its blessings and to make perpetual war on the prince of darkness, the great enemy of the happiness of man. Besides the usual vows of poverty, chastity and obedience to the order, a vow of obedience to the pope was also required from its members. To prevent divisions, and to give the greatest power and effect to the order, no member was permitted to act, upon any opinion or inclination of his own, in any case, or upon any subject. He was bound to yield implicit obedience to the mandate of the general or chief, in all things. In every district or province, there was a superior, or other officer, who acted as a spy, upon the conduct of the members within his jurisdiction, and reported to the general or chief, information of the conduct, particular dispositions and qualifications of each. It soon came to be the first maxim of the order, that every consideration, every principle, religious, moral or political, was to be sacrificed to its interest. The love of power and distinction soon obliterated every trace of its original policy. In less than a century, it became the most wealthy and powerful order in Europe, notwithstanding the vow of poverty. In their efforts to maintain the supremacy of the pope, and the "unity of the church" upon which they depended for their existence and toleration, a spirit of proscription and persecution was diffused over Europe, which for two centuries continued to furnish multitudes of victims for the stake and faggot. By their activity and the spirit of intrigue for which they were distinguished, every state and kingdom was kept in continual agitation. No man of authority or influence escaped the espionage of the order. The most artful, accomplished, and generally the most unprincipled of its members were deputed to insinuate themselves into the favor and control of the different monarchs of Europe. When the favor of any man of great power and influence could not be won or propitiated by address; nor his opposition thwarted by

the secret energies and intrigues of the order, unless its members have been grossly slandered, the steel of the assassin often did its office in their service. How far any of these peculiarities in the character of this celebrated religious order resemble the political order established in some of the states, those who are best acquainted with it will readily perceive. The members of this new political order have assumed the name of democrats, and profess to be associated for the purpose of asserting and upholding the rights, powers and interests of the people, in opposition to the principles and pretensions of a body of men in society, who are supposed to be foes to popular rights and influence. In order to secure the professed objects of the association, and to afford an adequate guaranty for their preservation, proscription is a fundamental maxim of the order, and all the offices of the government, must be filled with their own leaders or members. The most shallow observer of the human character, will see at a glance, that under the operation of this principle, the capital and leading object of the members must necessarily come to be the preservation of the association; and that every principle of consistency, and of a sound republican policy, must yield when the ascendancy of the order is in danger and shall require the sacrifice. Another inevitable and imperative result of this association will be, to increase the expenditures and official establishments of the government, and to institute and consecrate the policy of controling elections by the influence of executive patronage. By the method of reasoning employed by the advocates of this system, retrenchment and reform would be actually dangerous to the rights and liberties of the people; for, in proportion as you subtract from the resources of the order established for their support, you expose them to defeat and overthrow. That such are already the actual results of the system so far as it has been practised upon in any of the states, I believe no impartial and unprejudiced observer will deny. The vows of poverty and chastity are wisely omitted; but that of absolute obedience and a renunciation of individual sentiment and opinion, are the capital and indispensable engagements of every member who hopes to rise to distinction. As a necessary consequence of these engagements, the infallibility of the general, or chief of the order, is the principal article in the faith of all its members. An efficient and fit substitute for the dagger of the assassin, is provided in the slanders of a designated, vile and prostituted press. (Cheers.)

There is one foul blot upon the attempt to bring the principles of this new political order, or system of party organization, to bear upon national politics, which oblivious time itself cannot erase. There has been one element of strength essayed by the political druggists—one auxiliary sought to be brought into the field, by the partisans of this new scheme, whose interference there is not a true friend of the great cause of free government—of liberty itself, who does not sincerely deprecate; and when a few more brief days shall have passed away, the aiders and abetters in the plot to bring about such a result—cannot fail to be branded with appropriate shame and infamy. I allude, of course, to the deliberate attempt to procure the open and direct interference of the president in the question.

It was enough that the plan of governing the country, by an exclusive, partial and party action of the government, should be conceived and supported by those who already enjoyed a large portion of its patronage; it would be quite soon enough for the liberties of the country, to bring the whole patronage of the government directly in conflict with the freedom of elections, in order to secure to a favorite the succession to the presidency, after the new plan of government, of which such practices are the principle and essence, shall have been matured and sanctioned by a majority of the American people. But it seems, that to obtain this requisite sanction, not only the repose of the distinguished person who now presides at the head of affairs is to be disturbed, in the evening of his life, and at the close of his power; but, in order to secure a more perfect monopoly of his great popularity and hard earned fame, for the most unworthy partisan uses, the very foundations upon which they have been sustained, are to be attacked and torn away! And yet the authors of this outrage, assume the name and character of friends to general Jackson—of republican principles; and profess to be believers in the right and capacity of self government in the people! It is this same class of pretenders to orthodox principles and patriotism, who do not scruple to denounce every leading opponent of their designs, as a bought up partisan of a bank. They will shortly learn, if they have not already learned, that there are yet men in this country, who can neither be seduced or bought up by bank loans on the one side, nor by the more substantial accommodations of office, and of the treasury on the other, (cheers) men, who can neither be led by the hope of favor, nor driven by the terrors of unjust denunciation, into the support of principles they do not approve, (continued cheers), men who are not to be frightened by the cry of popery! a plot! or the pretender! into a connivance at practices which degrade the country, and threaten its liberties. (Great cheering). They are destined to find, if they have not already found, that there is yet a WHOLE PEOPLE as deserving of their privileges of freemen, as they are proud of, and determined to enjoy them, (continued applause). They the apostles of purity! they the representatives of republican doctrines! The dupes rather of their own little ends. Ambition is too lofty and honorable a name to bestow upon the purposes and objects of such men. They have never yet been able to conceive an estimate of a true man or a freeman. They have no internal standard, or conscious ness, by which to measure objects of a height and proportion, so infinitely above them. (Cheers.)

But, it seems, that I have, in some way, incurred the special displeasure of the advocates of this new scheme of government. I am suddenly given a degree of prominence and importance, by a set of men at Washington and elsewhere, out of this state, who never till now, thought me deserving of either praise or censure, which must, I think, strike the public with some surprise, and go very far to shew the real ground of their present respect for my pretensions, and their abuse of my motives and objects. The interest which they have found in pursuing me as a victim, chimed in so happily with the feelings and interests of a party in this state, small in numbers, though of respectable talents and influence, a party led and urged on to the pursuit by the known *undertakers* for the state, and who stand pledged that it shall support the appointment of the Baltimore convention, or "die in the last ditch;" that a combination between them against me was inevitable. They have a mutual interest, no doubt, in the success of their designs.

How it has happened that I have recently become the object of such fierce, unceasing and vindictive attacks, both at home and at Washington, though known to my particular friends, I believe, is very little understood by the public. (Cries of tell, tell, tell).

For the last two or three years, my opponents in this state have been waging, what I conceive to be a most unworthy, ungenerous and indefensible species of political warfare against me. They have never thought it safe or prudent to assail my principles and public course themselves, when, all the while, their partisans, every where, were busily engaged in sowing the seeds of distrust and opposition. How it happened, that while my friends could never hear my leading opponents avow a sentiment of opposition to me, they still found those who were their known partisans, in the constant habit of denouncing me, could not be accounted for, by any, but those who understood the tactics of a certain school of politicians, in conducting their enterprises against their opponents. But this is not all I may justly complain of. When every effort, of an ordinary kind, was exhausted, and every chord, which it was supposed, might send back a responsive and hostile note, had been struck, and all had failed to shake the confidence of the people, instead of taking the field in person, and leading their trained deputies in their attacks, and thus making one bold, and manly and vigorous effort to accomplish my overthrow, these gentlemen set themselves to work to effect a breach between the president and myself; a man towards whom I have never yet failed in showing a proper respect, and whose administration I have faithfully supported, and, in every instance, with that degree of zeal, which could consistently and reasonably be expected from me. They appear to have thought, that if they could get general Jackson to flash his Ægis in the van of their attack, they could acquire a safe and easy victory; and for the last fifteen months they have not intermitted their exertions to effect this object, by night or by day. As might be expected, from the nature of the undertaking, the most unscrupulous system of detraction has been pursued, and the president has been continually interrupted with the grossest insinuations and calumnies against me. That he should remain altogether unaffected by them, would be contrary to the usual course of things, I have reason to be satisfied of the fact, that at the close of the session of congress before the last, it was agreed and arranged between certain of my opponents in this place, and those who were then in Washington, upon a deliberate view of the whole ground of opposition to me, that unless the president could be made to denounce me openly, it was in vain to attempt my defeat, and accordingly that he should be excited to do so. Whether the president countenanced this plan, I will not undertake to say: I trust he did not, but certain it is, that many of them, relying with confidence upon his co-operation in their designs, during his visit to the Hermitage in the summer, used great industry to prepare the district for the anticipated denunciation, by the propagation of unfavorable rumors. So far had the feelings of my opponents become committed to the success of this unworthy scheme of procuring the interference of the president in my election, that they could not repress the expression of their dissatisfaction with the conduct of those gentlemen of their own politics, who were supposed to have been instrumental in defeating it. Every sincere friend of the freedom which it is our boast to enjoy, will, I am sure, put the seal of his disapprobation upon the course of my opponents in this affair. It proves them to be as regardless of every sound public principle, as they are deficient in manly feeling and conduct. This cloud which hung over, and for a time threatened to burst upon my head, passed away. It has been said that I eluded the storm by concealing my sentiments. In evading a pursuit, even the most unprincipled as this was, in all concerned, I would not have thought myself excusable in wearing a mask. My opponents knew, as well as I did, that I had in my possession a password, which, it was supposed, would insure my deliverance, if I could have pronounced it. But I did not owe my escape to the possession of that secret. No, gentlemen, I was indebted for it chiefly to the strong manifestation of public sentiment in my favor, to the unshrinking courage and fidelity of my friends. (Cheers).

But the events of the last winter, at Washington, have given fresh ground of hope to my opponents.

The elections, last fall terminated in such a manner, as in the judgment of all men of observation to defeat absolutely

and without hope the prospects of any candidate of the opposition for the presidency. That any man or the friends of any man, since the days of Washington, should expect that he would be permitted to be advanced to the presidential chair, without a rival or competitor is hardly credible. It was as certain, in the very nature of things, that Mr. Van Buren would have a competitor in the ranks of the dominant party, the moment the opposition, as a party, were prostrated, as that flowers should put forth upon the returns of spring. The notice which had already been taken of judge White in many districts of the south west, pointed him out to the public, as that competitor.

Although I had, on all proper occasions, expressed myself frankly, in favor of judge White, yet in as much as I had not gone out of my way to advise every man, who I supposed might be favorable to him, of my views, it seems that I who am now charged with the sin of bringing him forward, had really manifested so little earnestness in his cause as to make it necessary to the designs of my opponents, that some overt and tangible evidence should be afforded of my determination. This they had the address to procure. A meeting of the Tennessee delegation was called, at which the subject was considered, and briefly discussed. The entire delegation, without exception, were understood to have made up their minds to support judge White; and after coming to various resolutions having that object in view; the meeting broke up. Suspecting no stratagem, not dreaming of any division in the delegation: nor at all dissatisfied with the part I had taken at the meeting; nor supposing that any human being could justly take exception to it; what was my astonishment, a few days afterwards, upon hearing from a personal friend, and who was almost breathless with alarm as he told me, of the extraordinary rumors in circulation in certain circles in relation to the late meeting of the Tennessee delegation! A meeting, it was said, had been held of certain members of the Tennessee delegation, at which the "speaker of the house" had presided, and made a speech. It was certain that I was denounced the next day to the president, as the author of the meeting, that I had got it up to cloak my individual designs: and, that I had the address to bring all my colleagues over to the support of judge White, for the presidency, except Mr. Johnson, who it was said was present, but dissented, and Messrs. Grundy and Polk who were absent, and were understood not to concur. There were various constructions put upon the proceedings, but all agreed, that it was a most mischievous and portentious affair. Some said, that it was the first development of a conspiracy of the nullifiers, and I have since heard, that letters were despatched to this state, to put the unwary on their guard, and announcing in grave and ominous terms, "that in a short time developments would be made of a great southern conspiracy which would astonish the nation." Some said it was the result of a joint understanding between the nullifiers and the nationals, to overthrow the administration. Others, again affirm that it was a foul and conjoint conspiracy between the nullifiers, nationals and the United States bank! The tact displayed in bringing in the bank at the tail of all the other horrors of the plot, reminds me of an instance of one of those remarkable eccentricities, which, sometimes takes possession of a mind in other respects of a decidedly superior grade. A venerable and learned judge of our state, and, of course a cotemporary of all of our most distinguished citizens, in the course of twenty years of judicial administration, is understood never to have had a case of murder, or other crime of marked atrocity to come before him, that he did not suspect a woman to be at the *bottom* of it. Though the proof might be defective upon this point, or there might be none at all, still the impression remained, and in the learned judge's mind, a *woman* had been there, though no trace of her could then be found. (Laughing and cheering.)

What consequences have followed to me, from these morbid apprehensions upon the subject of the bank, and from the story that I was at the *bottom* of a meeting which I knew nothing about until I was summoned to attend it; you are informed—That the president has been grossly deceived, as well as many others, both as to the part which I have acted, in the matter of bringing forward judge White, and as to the motives of myself, and the other members of the delegation, who avowed their disposition to support his election, is most certain.

I could not do otherwise than give my support to judge White. If I had declined doing so, I would have separated myself from my best friends; from my own state; and, as I shall show, I would have been sacrificing both my feelings and my principles. After all, what are the objections to the course of judge White and his friends? It cannot be said, that his principles are not sound and orthodox: nor is he deficient in experience or ability. His integrity and patriotism are not questioned by any candid or honest objector. No man of common intelligence and observation, who knows judge White, or who has ever heard of the more than common purity and singleness of purpose, which have distinguished his character throughout a long life, can, or does believe whatever he may say, that he has formed any improper or corrupt connexion, either with the bank of the U. States, or with any portion of the opposition: I undertake to affirm that none of these objections exist in the mind of a single intelligent individual of the party with which judge White has acted during the last ten years. It cannot be a serious objection, that judge White is willing to receive the support of any portion of the opposition, which may prefer him to his competitor. This may be a ground of prejudice with heated partisans; but with men of unprejudiced reason it is no objection; and none such consider it so. Connecticut is not the less welcome to the Jackson ranks, nor is she likely to be less efficient in support of the Jackson party, because, at the election, two years ago, a portion of the freemen of that state, who lately gave their votes in support of the administration ticket, gave them to the opposition candidates. The truth is, that in popular elections, no such thing as a coalition between leading men of different principles can exist, or be fairly inferred, from the popular support which one may receive or the other bestow. It is not so in England. It cannot be so here. It is not like the case of forming a ministry, or making up a cabinet, when gentlemen of opposite principles agree to act together, and to afford to each other mutual support in carrying on the government. In such cases there is always a sacrifice of principle, and corruption may properly be attributed to them. Sometimes it happens that gentlemen of opposite principles upon most subjects, agree to co-operate in supporting certain principles, in which they agree, and still to differ upon those questions which formerly divided them; and there does not appear to be any ground to charge corruption upon the parties to such an arrangement. But the president of the United States is a popular magistrate, and is elected by the people; an election by the house of representatives, is only an expedient devised by the constitution, to supply an omission occasioned by the failure of the electoral colleges to make an election. In the late election of members of the British parliament, the radicals, a party bitterly opposed to the whigs or moderate reformers, who constituted the late ministry, united against the conservatives or tories. Mr. O'Connell, in the popular elections in Ireland, did not hesitate to give his support to a party which was opposed to his favorite scheme, of a repeal of the act of union between the two kingdoms, upon the ground that he was still more opposed to the party recently installed in power. Yet this course involved no violation of principle, on either side—no corruption—no unworthy coalition. And, accordingly, we see no such charges made by the press in that country—a country, by the by, where consistency and political honesty are virtues much more highly prized and guarded by public sentiment, and the transgressions against them, much more severely castigated and punished, than they are in this country.

If our cause is a worthy one, if it be really the cause of principle, and of the country in which we are engaged—I would recruit supporters to it in the same manner that I would recruit soldiers against a public and foreign foe. I would enlist them from every rank and class, without regard to party or particular political creed, provided they were for their country, its constitution and liberties.

It cannot be objected, that gen. Jackson or his administration is, or can be seriously affected by a contest between two of his friends for the succession. Gen. Jackson has been eminently successful and triumphant in all his measures. It is one of the happy consequences of his great success, that the friends of his administration may choose from among the whole number of his friends whom they prefer to succeed him, safely, and without danger to his administration. (Great cheering.) He yet possesses a vast and undoubted control and influence in the country. It cannot be disputed, that there are thousands in the U. States, who have such unbounded confidence, not only in his honesty, but in his general sagacity, and his intelligence upon all subjects, as to be ready to yield up their own judgments, in deference to his, upon any political question which may arise. The friends of judge White, therefore, upon grounds of policy, if upon no other and better ones, will not seek to disturb the tranquillity of gen. Jackson's admistration, or to defeat or unsettle any of those great questions upon which he has acquired so much of his present power and influence in the country.—(Cheers.) They would be madmen to do so. The truth is, it is their interest, and so far as they are acting in view of principle, it is the interest of the country, that they should conciliate gen. Jackson, and the people of every section, who have such unlimited confidence in him, by every means, consistently and honorably, in their power. This is so obviously their policy, that we see some of the partisan presses of his competitor employing their utmost address to drive them to an opposite course—practising every species of provocation and insult, by which they may hope to throw judge White's friends into the opposition ranks. Opposition to the administration of gen. Jackson, is the course which the worst enemies of judge White desire his friends to adopt. They are so anxious upon this point, that they appear determined to have judge White and his friends in opposition, whether they will or not. But, gentlemen, the friends of judge White will adhere to gen. Jackson and his administration, from consistency and a respect for their own character, and because they will be supporting their own principles upon all questions, properly administrative in their nature, which have arisen, or are likely to arise. They know too well how to bestow their ammunition, to waste it, by firing into a bomb proof battery. (Great cheering.)

It cannot be even plausibly objected, that judge White may not be expected to carry out the principles of the present administration, so far as depends upon him; if we run a parallel between him and his competitor upon this point, and calculate the probabilities, we shall find that the choices are in favor of judge White. He has been consistent in the support of his present principles, and the principles of the administration; his competitor has not. If it shall be said, that the friends and supporters

of judge White are not likely to be such, as will sustain his principles, I answer, that they are more likely to be homogeneous in sentiment, than the supporters of Mr. Van Buren, so far as principle is concerned. Should judge White prevail in the contest over his opponent, surely, the great democratic states, which, it is said, will support Mr. Van Buren, will not desert their principles, because their favorite leader shall have lost his election. Their cherished democratic principles will undoubtedly continue dear to them, under the lead of judge White.—Unless, then, the great body of Mr. Van Buren's friends shall desert their principles, the democracy of the country will still be triumphant. But, we cannot suppose so great and so gross a defection from principle, at least, in whole states; and so, those fathers of the democracy of the country, and, who, it is said, are so much grieved at the prospect of a division in the democratic ranks, may dry up their tears. (Cheers.)

But some appear to imagine, that general Jackson possesses the wonderful faculty of transmitting to a successor of his own choice, his own stern principles, and his power over public opinion. It is a great mistake to suppose that any man, who shall succeed him, whoever he may be, will be able to hold the reins of government, with the same firm and unyielding grasp. If Mr. Van Buren, or any competitor shall presumptuously attempt to guide the car of state in the high and bold career of the present incumbent, he will learn, when it is too late, the value of the advice, "*in medio tutissimus ibis.*" (Great cheering.)—The greatest danger which threatens the succession is, (and it is deserving the most serious consideration) that, after an administration, in which the executive has had the chief direction of affairs, and in which, the president, instead of conforming to popular opinion and influences as he found them at his accession to power, boldly took the lead, struck out an independent course, and by his consummate skill in the management of men, and his great personal popularity, conciliated the support of a majority to whatever he attempted; the danger, I repeat, is, that the reaction will be excessive, and, that the executive, in the next administration, will not be felt as much as it ought, in order to preserve the due balance of the constitution. A man at the head of the next administration, of too much pliancy of character, one, who yields too readily to political exigencies upon political grounds, will quickly find his term of actual power, narrowed down—if he shall have a hundred days reign, he will be fortunate. It is a daring enterprise, in any light in which it can be viewed, in any man, to attempt to wear the armour of the political Achilles! (Great cheering.) It is no puny arm that can wield the truncheon of Jackson. (Continued cheering.)

It had been objected, that the course of the Tennessee delegation last winter was not justified by public opinion. I deny the justice of the objection. As for the part taken by me in the support of judge White, I consider it responsive to the feelings and wishes of the whole state. I have done no more than to obey the call of half a million of freemen, spontaneously echoed from the line of the Allegheny to the Mississippi; composing a land not more nobly distinguished for the boldness and variety of its physical features, than by the hardy, uncorruptible and independent race of freemen who cultivate its soil; a land already celebrated in the history of a great nation, but from this day forward, and forever, doubly dear to the freemen of every land beneath the sun. (Cheering.)

When we have thus answered and refuted, one by one, all the specific and of course, all the substantial objections, to the running of judge White, his friends are still called upon to reply to the loose and general argument of the danger to the *unity of the party*. Yes, that is the thing, the precious unity of the party! And as much parade is made, by the use of this generality, as if that unity were of any value, except to secure the particular and specific advantages which I have already shown will be more certainly attained by the election of judge White. But I propose to analyze, briefly, the nature and value of this unity as applicable to the party now in power. The friends of judge White have been denounced as disorganizers, and foes to the principles of the party. These it is said, can be preserved only, by keeping it, as it is at present organized and compounded, still closely banded. I have been a witness to the course of the Jackson party for the last eight years, and a co-operator, not with the entire party, but with that portion of it with which I agreed in principle and in policy.

Principles can only be illustrated, and shewn to be of value by their application, and their operation upon the practical measures and action of the government. The leading ones of the Jackson party have been different, at different periods of its existence. Before the 4th March, 1829, retrenchment and reform in the expenditures and administration of the government, were avowed by the party, as leading and cardinal points of a republican policy and administration. The idea of reform, in the administration of the government, I understood to embrace the policy of limiting executive patronage, and guarding the exercise of it, by such legal regulations, as might be consistent with the due maintenance of executive power, and, at the same time, afford new securities for the freedom and purity of elections. Since that period, these objects, if they have not been lost sight of altogether, have, at all events, been overshadowed and buried by the principles and policy involved in the questions of the tariff, internal improvement by the general government, the relative rights of the states and Indian tribes within their limits, the United States bank, and the secondary or derivative questions growing out of them. Since the 4th of March, 1829, these are the questions, which have afforded the true tests of democracy and republicanism on one hand, and of federalism on the other. Upon these questions, I affirm, and I point to the public records of the country as the unerring evidence of the truth of the affirmation, that with the partial exception which I will presently state, the Jackson party have never been *united*, and that when tried by this test, and it is the only true and legitimate one, it has always been about one-half republican and one-half federal in its composition and principles. If this be true, what becomes of that glorious unity, over the waning prospects of which, so many tears have been shed!

If we regard the heads of departments, at any time, under the administration of general Jackson, as representing truly the principles and policy of the entire party, I need not detain you by a recitation of the names and principles of those gentlemen who have at different times occupied a place in his cabinet. It will be sufficient to remark, that gentlemen, notoriously and avowedly of every political creed known to the country, have been thus honored by the confidence of general Jackson. One member at least, of the cabinet, as at present constituted, is one of the most uncompromising advocates of the high tariff system; and two others, if not more, claim for the federal government the power to charter a national bank, if they are not now advocates of the expediency of such an institution. In the course of his administration, general Jackson has appointed two certainly and I believe three judges of the supreme court, who hold the same doctrine in regard to a bank.

If we look for the principles and policy of the supporters of the administration throughout the country in the votes of their representatives in congress, we shall find the same divisions and discordance in the party. Even after the secession of a portion of the southern representation from the Jackson party, upon the last test question which was taken upon the high tariff policy, and before the country was actually menaced with civil war, a large portion of the party continued to be the supporters of a tariff which will always be regarded as but little short of the extreme of prohibition itself, at least, as respected many important articles of import. Upon the question of internal improvement, there has always been quite as much dissention in the party; and even the far famed veto of general Jackson does not take the ground that appropriations of the public money to objects of a national character are unconstitutional, nor is any serious objection stated, except the want of some system or method, by which equal justice may be done to the different sections of the union, and, by which, an economical disbursement of the funds so applied may be secured. Notwithstanding the veto, the annual expenditures for this branch of the public service, I believe, for I have not made an accurate calculation, have not fallen, during the present administration, below the standard of similar expenditures of the pending one. I would not be understood to find fault with principles of the celebrated veto message: on the contrary, I think them just and sound. The great impediment to this desirable policy is the difficulty of devising a system so guarded as to insure a due equality and economy, without some further power under the constitution than simply the power of appropriation.

Upon the Indian question, it is equally notorious, that the Jackson party were never united, and but for the co-operation of that portion of the south which is now in opposition, gen. Jackson would inevitably have sustained, at the very onset of his administration, a signal defeat, upon this most delicate and important question.

As regards the subject of the United States bank, even as late as 1832, a majority of the party were in favor of its recharter, at least, with some modifications. Pennsylvania was willing to recharter it, with all its present powers and privileges. The bold and decisive measures of the removal of the deposites, taken by the head of the party in 1833, together with the uncompromising and exterminating spirit with which that measure was assailed by the opposition, presented the alternative to the members of the Jackson party, either of uncompromising opposition to the bank, or a coalition with the opposition to the administration, in all the extremes in which they were disposed to indulge. This state of things, by a sort of moral violence has brought about a greater degree of unanimity in the Jackson party upon this question, than upon any which has arisen in the course of the administration. It is upon this question only, that it may be said with any sort of truth or propriety to be a unit. Let a candid and discerning world estimate the value of such a unity, and at the same time the enormity of the guilt of those, who may be unhappily convicted of plotting against it.

Upon the subject of the bank I am aware, that if the time and occasion would admit, I ought in justice to myself to speak more at large. But a few words in regard to my own course upon this subject must suffice at this time. Those who have thought fit to represent me as the advocate or friend of the present bank, or any other bank of the United States, as the only means of providing a sound currency, and as an indispensable fiscal agent of the treasury have not done me justice. I am not, and never have been wedded to any particular plan or mode of effecting these purposes; nor have I ever so expressed myself. I consider a sound and uniform currency and a safe and convenient fiscal system, objects of the greatest national importance, and I have always held, that ample power over the whole subject, ought to be vested in the federal government. That a bank of any kind ought to be regarded as

the only invention and device, by which these objects can be accomplished, I never have said, nor am I now prepared to say. In my remarks in congress in 1832, when this question came up, I argued expressly, that it would be unphilosophical and not statesman like, to rest satisfied with former inventions of this nature, in an age of so many improvements in almost every other branch of science. To avoid the jealousies, the suspicions, the fears naturally incident to such an institution, and the serious and extensive mischiefs, which we know by experienced institutions of this kind, when mismanaged are capable of producing, I would resort to any other scheme which promised a nearer approximation in its effects to the results of a well managed national bank. All I contended for, and all I have at any former time contended for, is that the great object I have mentioned shall be attained. Whether the constitution gives the power to congress to charter a bank of any kind, out of the District of Columbia, if left to form my opinion, taking the text of the constitution simply, for my guide, I would say, it does not. It is very clear, however, that the entire and absolute power over the currency of the country was intended to be given to the general government; and the framers of that instrument undoubtedly supposed they had given this unlimited power, in the clauses respecting the current coin, and the prohibition of the power to issue bills of credit by the states. The states have in effect defeated one of the most beneficient objects of these clauses, by chartering banks of issue. If I were to say, as a statesman, and expounder of the powers of the federal government in 1835, that congress could not charter a bank upon some principles or other, I would be effecting greater scruples than Madison; I would repudiate the authority of contemporaneous construction, the sanction, at different periods of every department of the government and the acquiescence of the people themselves during the greater portion of their national existence. I might quote the authority of general Jackson himself, were it necessary, to save me from the imputation of unpardonable heresy in expressing the opinion I did upon this subject in 1832. I might take shelter under the authority of a name of even greater potency, with many of those who are now most forward in finding fault with me upon this ground. Mr. Van Buren himself, in a speech delivered in the United States senate, which bears the impress of great study and circumspection, declared that the sanction of Madison to the charter of the present bank of the United States, compels the admission "that the power in question must stand as a successful interpolation upon the text of the constitution."

I have spoken thus freely upon the subject of the alleged unity of the Jackson party, not that I expect to appease the opposition which may exist towards me in any quarter; nor do I expect to allay the fears of those who are so much disturbed at the prospect of division in what are called the democratic ranks; but for the sake of truth and justice, and for the sake of the country; for the sake of that consistency which I prize, and hold to be the best test of honesty, I have been called upon to show that there has been no departure from, or disregard of any sound principle or maxim in the cause of those of the Jackson party, who have declared for judge White. I, for the same reasons, have felt it my duty to state what I conceive to be the only grounds upon which a true estimate may be formed of the nature, and value of that unity which I am charged with a disposition to destroy. Either principle has become but a name, a sound, having no substantial existence in politics, or it is a hardy and bold attempt at imposture, to affirm that the supporters of the present administration in the different sections of the union, since the 4th of March, 1829, have been *united*, with the exception already stated, in any other object or principle than the support of gen. Jackson and the preservation of power.

But whatever of sound and patriotic principle may actuate any portion of the party, and I know that there is much public spirit and honest devotion to principle, among a large number of its members, may still be confidently relied upon, to unite with kindred elements, and feelings, to sustain and insure the triumph of all that is pure and truly republican, in the doctrines and practices of the Jackson party. That portion of the party which has avowed its preference for judge White, have not lost their reason, nor the power of self control, nor the disposition still to adhere to principles, and what they believe to be the best interests of the country. Having taken their position independently, and free from all embarrassing engagements or connexions, they retain the power, of demonstrating to the world, the honesty and purity of their intentions, whenever they shall become satisfied that the great objects they have had in view are likely to fail. When the present cheering prospect of securing to the country an administration of public affairs, which promises to establish general confidence in the justice, purity, and stability of the government, shall be blasted by adverse views and interests, in any quarter in which a hearty and decided operation was to have been expected; when the friends of judge White shall become convinced that, instead of affording an opportunity to the virtuous and patriotic of all parties, to unite in the great object of effecting a union of sound republican principles, with a spirit of moderation, their course will produce no other result than to insure the success of principles the opposite to their own, as their enemies affirm, they will then determine upon the line of conduct which duty to themselves and their country prompts, whatever it may be. At present I cannot anticipate the necessity of any change in their position.

I am not ignorant, that the tenor of much that I have said upon this occasion, will be seized upon with avidity, and held up as an evidence of my hostility to general Jackson and his administration. Be it so. It is not an uncommon practice, when it becomes necessary to the selfish views of individuals, to get rid of an old and faithful friend of the party, first to insult him, and then, should he resent it, to turn round, and cry anti-Jackson! This device shall not avail those who it may concern, in one instance, at least. While I am resolved to support general Jackson and his administration, upon the same principles I have heretofore done, I am equally determined to expose the hollowness of the professions, and the worthlessness of the principles of those who are in the habit of denouncing every man who dares to support judge White, as anti republican in his principles.

I have thus taken some notice of several of the leading objections to the course of judge White's friends, which are avowed, and most relied upon by his opponents. But, gentlemen, there is great reason to suspect, that the true ground of objection is carefully withheld from the public. When judge White was first spoken of for the presidency, he was treated with all due courtesy and forbearance by the partisan presses of another gentleman; his many virtues and qualifications were frankly admitted, he was soothingly entreated by those who were most sensitive on the subject, not to consent that his name should be used by his friends; he was even flattered with the hope that he might expect to become the favorite of the party in his turn. But when all did not avail, and he signed the *letter*, in an instant, and, as if by magic, his whole character is transformed, and he becomes a wretch, capable of lending himself to the most unworthy and corrupt intrigues. The fatal mandate now goes forth, the victims are marked out, and qualified *executioners* of the party begin their work of moral death! Such is party, in this country, and at this time! Does any one suppose, that this course, on the part of judge White's opponents, is the dictate of patriotism, or an honest devotion to principle? Is not the conclusion irresistible, that the real objection to the course of judge White and his friends, is, that it tends to disturb and break in upon the order of succession and preferment already prescribed and agreed upon? If this be so, it is not at all unnatural that some gentlemen should be a little nervous at the prospect of that derangement which is about to take place, from the presumptuous intrusion of the *undisciplined militia of the party*, (great cheering) or rather of the people themselves, into a matter with which it is said they ought to have nothing to do, except to give their sanction, when called upon for that purpose, according to party usage. (Tremendous cheering).

The sensibility to danger arising from the threatened divisions of the party, upon the most obvious principles, is greatly increased, especially with those gentlemen who may have been notified that their names are upon the list of preferment. There does not appear to be the slightest reason to doubt the sincerity of these gentlemen, when they declare that they are full of the most direful alarms at the prospect before them. (Great cheering.)

But this is a subject which demands to be thought of—to be spoken of in terms of soberness and real concern. It is far too grave and important to be passed over as one of merely a party or political nature. It concerns deeply and vitally the country its prospects and liberties.

I have already said, that *party* is the only source whence destruction awaits our system. I am so fully and solemnly impressed with this truth, that were I asked, what I considered the first great duty of an American statesman, at this time, I would say, guard against the excesses of party. If I were asked what I considered the second, I would answer, guard the excesses of party—and were I asked the third, I would still say guard the excesses of party. Every thing else may be safely and confidently left to the free and natural action of our system. These are the dangers to be apprehended from the spirit of party, in its ordinary modes and forms. But when its spirit shall receive an organic existence—thus giving rise to a system within a system, not subordinate, but superior to and designed to control the natural operation of the regular, lawful and constitutional government of the country; when thus organized, and, I may say, personified spirit of party, no longer fed and sustained by the only safe and legitimate aliments of principle and a high souled emulation and competition for the honors of a free country, but, addressed to and relying for its support, upon the selfish and mercenary passion of our nature shall become the prime interest, and the country but a secondary one; when it shall be thought more perilous to a man's fame and prospects, to desert such a party, than to conspire against the interests, the glory and the liberties of the country; when a decent regard to consistency—when the first principles of a free government—when the sacred obligations of truth and justice are required to be yielded up a sacrifice to the *unity* of such a party, then, I proclaim to you, and to the world, that the spirit of evil which is in party is predominant. (Great cheering.) Those who would guard the public liberty and our free institutions from pollution and overthrow, must range themselves under a different standard. (Cheering.) When *party* is the watchword and the ensign of those who fight for the spoils, the warning voice of patriotism says to every freeman, to every White man, inscribe YOUR COUNTRY upon your banner, and "in hoc vince." (Tremendous applause.)

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

This number consists of twenty-four closely filled pages—having a supplement. The matter, however, is, generally, rather for future use than of present interest.

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The health of our cities on the sea-board, is, at present, decidedly good, at this season of the year.

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The anti-masons of *Vermont* have nominated *William A. Palmer* for governor, and *Silas H. Jennison* for lieut. governor. It is probable that no other nomination will be made on the part of the opponents to the Baltimore convention. Mr. *Bradley* has again been named by the Jacksonians, for governor.

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In *Kentucky*, Mr. Hardin, the late member, is opposed in his congressional district, by John Pope, late governor of Arkansas, to which he was appointed by general Jackson. Mr. Pope avows himself a decided opponent of general Jackson's administration.

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After the late election, there was to have been a great entertainment in N. Jersey, in honor of the "democracy" of the people of the states of New York, New Jersey and Pennsylvania, &c. and large preparations were made to receive the expected guests. They did not come. After screwing all that they could out of individuals, a tavern keeper, named Norbury Baskford, brought an action against several individuals, and obtained a verdict—from which they appealed. Only 143 tickets were sold.

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The governor of *Delaware* has called an extra session of the legislature, to meet on the 21st ult.

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The Missouri Inquirer says that the Santa Fe traders are collecting in large numbers at their place of rendezvous, west of Independence. From this point they will shortly take up their line of march across the wide spread prairies, to the land of the savage and the slave.

[Who is the "slave!" The *Mexican*—under his military chieftains, and mercenary priests armed with power?]

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Many of the principal offenders on the Schuylkill canal, (who would not suffer others to transport coal, nor do it themselves, committing numerous acts of violence), have been arrested by the sheriff of Berks county, Penn. supported by the military. A party of them, from two to three hundred strong, had marched to Reading, with music and banners—but the sheriff immediately commenced a hot pursuit of them, and captured several. The rest run away.

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The manufacture of salt at *Kanawha* has been doubled since 1833, and is now about 2,000,000 bushels, annually. Many improvements have been introduced into the manufacture, as well as great savings made in the progress of the work—from 150 to 200 bushels being now made by a furnace per day, instead of from 80 to 100. The coal is supplied by rail roads, some of them 2 miles long, and the water is obtained by steam power.

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In the municipal court of the city of Boston, last week, a person was tried and found guilty upon an indictment for stealing a newspaper from the door of a subscriber, where it had been dropped by the carrier on his morning round. He was mulcted in a fine and costs, amounting to $33. It would have been somewhat cheaper to have obtained the paper honestly.

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A lady has been tried at New York, by action against her husband and herself, for a breach of a promise of marriage! Many letters were read before the court—and her promise was clearly proved; so the jury brought in a verdict of one thousand dollars to heal the broken-hearted swain! He had asked $5,000 for that purpose. This is the first case of the kind that we remember to have heard of, and will make the ladies, who have *money*, careful what they say or do.

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The Globe has the following statement of the balance of gold remaining in the mint uncoined on the 31st May, 1835, with the amount deposited for coinage within the month of June, together with the amount of gold coinage executed within the same period, which shews a wonderful falling off:

Remaining at the mint uncoined May 31st, 1835,		$221,035 00
Deposited for coinage within the month of June, viz:		
Uncoined bullion,	$64,400 00	
Coins of the U. States of former standard,	3,050 00	
Foreign coins,	3,465 00	
		70,915 00
		291,950 00
Amount coined within the month of June,		214,780 00
Remaining at the mint uncoined,		$77,170 00

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We are decidedly of opinion, (gathered from various quarters), that the crops will prove quite as abundant as usual—notwithstanding the excessive cold of February, and the violent storms of June.

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The Virginia Free Press, published in Jefferson county, says—Harvest has just commenced, and in all directions we see many a "well-filled head" prostrated by the keen steel of the cradler. We know not how the wheat looks throughout the county generally; but we know this much—that many fields are turning out very favorably, contrary to the doleful lamentations that were raised concerning them some weeks since.

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The rail road from Baltimore to Washington being ascertained to be *two hours* long—the time from Washington to New York, will be about sixteen hours.

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Mr. *Poindexter* was to have partaken of a public dinner at Lexington, Ky. on the 11th inst.

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The Apalachicola (Florida) paper of the 15th June, informs us that the citizens of that place have all, without a single exception, resolved to abandon it *en masse*, and remove to St. Joseph's, which, as respects its harbor, local situation and salubrity, is regarded as a much more eligible site. They have been induced to take this decisive step by what the editor calls the child's play and quibbling course of the proprietors, who appear to be non-residents. The harbor of St. Joseph's is described as being excellent, and it is announced that Apalachicola will have to bow to it in silent submission.

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A worthy friend at Cincinnati sent us a note *forwarded* by Mr. *Clayton*, dated at 5 o'clock on the 4th of July, bespeaking our good offices to him, if he should reach Baltimore in his balloon. The letter, however, was received by mail, (marked at Waverly,* Pike county, Ohio, July 8), on the 14th inst. The latest account that we had had of him was the following—

The Cincinnati papers of Tuesday (7th) state the steamboat Hero, which arrived at that place the day before, passed under Mr. Clayton's balloon, which ascended from Cincinnati at 6 o'clock on the 4th, about four miles south west of Guyandotte, at 11 o'clock on the night of his ascension, going in an easterly direction. [Guyandotte is distant 155 miles from Cincinnati.]

[We have Mr. *Clayton's* report of his voyage, of which he gives a scientific account. At 10, at night he

*Waverly is 61 miles from Columbus, and 413 from Washington—and is *nearer* Cincinnati than Guyandotte.

encountered a storm, and his balloon, &c. was covered with ice; and, owing to some rents in the balloon, was compelled to descend near Waverly.]

—

Robert R. Stewart, esq. of Philadelphia, whilst residing at Trinidad, Cuba, as American consul, purchased a negro boy for six hundred dollars—a native of Africa, of the Ebee tribe. Being about to leave Trinidad, he regularly manumitted him, giving Juan or Whan, the choice of coming with him to the United States, or of remaining behind; but, apparently attached to the family, he preferred the former. On Friday, Whan ordered some new clothes to be sent home—saying that Mr. Stewart would pay for them, to the amount of 35 dollars; but Mrs. Stewart said that as he had several trunks of clothes, and upwards of $100 in money, that it was unreasonable to request it. Mr. S. however, was unwilling to disappoint his domestic, and agreed to pay for a part of the clothes, which he selected—and here it was thought that the matter had ended. But on last Sunday, as Mr. Stewart was taking his afternoon's nap, Whan entered his room, and struck him two blows with an axe on the head, one of which mashed his hand, (with which it is supposed that his face was covered), and left him as killed. He then came down stairs, and quietly seated himself at the front door, and confessed what he had done, when arrested—which very soon happened. He made no attempt to escape.

It was believed that Mr. Stewart would certainly die—but the opinion is now entertained that he may recover. The case, however, was doubtful, at the last accounts.

In consequence, a general attack was made on the colored people of the southern part of the city, out of its corporate limits, last Monday night, many houses being attacked with the fury of savages, and the blacks that were seized exceedingly abused—some of them so much so that they will hardly survive. A house was fired, and a battle took place between the firemen and the mob—but, after some terrific scenes, the former succeeded in quenching the flames. The mob then changed their scene of operations, and attacked other houses and persons. At 2 o'clock, exhausted with their own violence, they dispersed, after having reigned about six hours—from 8 P. M. on Monday, to 2 A. M. Tuesday. The mayor, with a strong body of the police, kept them out of his limits, but further had not power. They are said to have amounted to 1,500 persons. They respected however, the old men and women and children—but on all others, it [illegible], without discrimination, the most horrible excesses. Some few of the blacks defended their property—and five shots were fired, but, generally, their great object was to keep out of the way, or conceal themselves.

The riots continued on Tuesday night—in Moyamensing: but no great damage was done. The people of color had generally left their homes, and fled to the parts adjacent—sleeping, or attempt to sleep, in the open air.

—

We notice the accident [illegible] below, that the people may learn [illegible] In some cases not of two, [illegible] are [illegible] caused—and [illegible] the [illegible]

[illegible]

[illegible]

Philadelphia Gazette.

[illegible] morning of the 11th [illegible] New York [illegible] Nat. [illegible] extensive conflagration, destroying many houses and depriving about 8 families of a home; the loss was heavy. 2. Nos. 30 and 32, Cross street. 3. In 16th street and 7th avenue, sweeping a whole block—destroying 30 houses, and rendering 100 families homeless.

—

A large gang of thieves recently imported from England, have been captured in New York, after they had made many depredations.

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There is a great difficulty about the will of the late *John Randolph*. The case is still pending at Richmond—and matter of property, as well as the heir, is in doubt. By one will, all his slaves, about 500, are liberated; but a later will is silent concerning them.

The "Enquirer" says—

"Two (witnesses) from Philadelphia were before the court on Friday, viz: Mr. Badger, at whose hotel Mr. Randolph died, and Dr. Parish, who attended the last moments of this extraordinary man. The statement, and appearance of the doctor, corresponded with the high celebrity which he has acquired, as one of the most distinguished physicians of Philadelphia. A member of the society of Friends, he appeared in the court with his hat on, and expressed himself in the peculiar phraseology of his sect. We have heard such a high character of his deposition, from every one who listened to it, that we shall attempt to lay a copy of it before our readers. It is represented to be a production in which philosophy and eloquence vie with each other.

[We since learn that the testimony had closed—but a decision was not yet pronounced.]

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From the New York "Morning Herald."

But while "fancys" are fluttering about like pieces of rotten canvass—the U. S. bank is firm as a rock, and rising in value. This institution divided, on the 1st instant, 3½ per cent for the last six months. Yet, in addition to this, it has set aside to the surplus fund, out of the profits accruing from 1st January to 1st July, 1835, no less than $367,000—a little over half a million in six months. And still further, all the banking houses, mother bank and all, are nearly paid for out of the surplus funds, without any call upon the capital. Of the branch just wound up at Portland, not a cent has been lost—and the Nashville, and other branches now winding up, are expected to be equally clean. We should not at all be surprised if this institution were to wind up, and divide 115 or 120 per cent. It is now quoted at 11½, dividend off.

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The "Knickerbocker" for July pays the following well deserved tribute to our townsman, *John P. Kennedy*, esq. for his late novel "Horse Shoe Robinson," or a tale of the times ascertaining," in the southern states.

"[illegible] a most unconcerning name. It lacks the great's stamp—[illegible] The author has an [illegible] but open his book, [illegible] a series of heart moving events, [illegible] of scenery and character, [illegible] Americans [illegible] have expressed, and [illegible] have not [illegible] With a rich feast of history [illegible] the author of Horse Shoe Robinson [illegible] a work which [illegible] and remembered when he is no more. It [illegible] of humanity devotion [illegible] during a [illegible] the story [illegible] Previous [illegible] indeed, were those [illegible] has our author portrayed [illegible] a nervous [illegible] a philosopher with [illegible] of character. The pro[illegible] the author's close observations with re[illegible] of nature. He [illegible] every [illegible] a [illegible] person, and [illegible] We [illegible] because [illegible] the way of [illegible] a [illegible] and [illegible]

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The London Morning Herald is filled with descrip[illegible] of the late fêtes, at the queen's late drawing [illegible] of those of other majes[illegible] of Mr. [illegible] widow of Count [illegible] of St. Alcans, and of Miss [illegible]

[illegible] white satin; the [illegible] with [illegible] silver, with a [illegible] white satin. Head [illegible] diamond [illegible] necklace [illegible] The whole is [illegible]

[illegible] S. [illegible] of satin, over [illegible] white satin, [illegible] white satin. [illegible]

[illegible]

satin, and trimmed with a fall of blond; a stomacher of great beauty and splendor, in queen Elizabeth's style, composed of diamonds in bands and roses, mixed with sapphires: the whole surrounded with a deep diamond fringe, seduisante sleeves of blond, looped with diamonds. Head-dress, a splendid diamond tiara, with a bandeau of flowers in diamonds, rich white plume, blond lappets, ear-rings, comb and necklace of large diamonds.

Miss De Rothschild.—An elegant white crape dress, richly embroidered on soi a bouquets, over a rich white satin slip; corsage of rich pink and white Damas, profusely trimmed with blond: manteau of rich Damas roses and blanc, with a superb garniture en guirlande de ruban en gaze. Head dress rich ostrich plume, with diamonds and blond lappets.

A Mississippi paper says it is not correct that Mr. *Walker* has been appointed a member of the senate.

The New York Gazette of Wednesday says—The estate of Mrs. Ann Rogers, consisting of 284 Rose Hill lots, and 927 lots of Bloomingdale, was sold at the exchange, on the 2d and 3d days of July, by Messrs. Franklin & Jenkins, and brought the net sum of $688,310, which is believed to be the most valuable estate ever offered in this city.

The Maryland loan of a million has been taken at $17.60 advance. It bears 6 per cent. and is not redeemable for 35 years. The Messrs. Cohens and Browns, of Baltimore, and Mr. Biddle, of Philadelphia, jointly obtained it.

A report that was put afloat that Mr. *Taney* had been appointed a chief justice, was, at least, premature. *Henry St. George Tucker*, of Virginia, is also spoken of for the office. He is president of the court of appeals.

The following presents a new view of the office of a judge.

FROM THE NATIONAL INTELLIGENCER.

Messrs. Gales & Seaton: You have published a rumor from Norfolk that the president has appointed Mr. Taney chief justice of the United States. This report surely cannot be correct. There can be no judge of the supreme court who does not hold his office during good behaviour; and if Mr. Taney can be, and has been appointed by the president without the advice and consent of the senate, he holds the office, not during good behaviour, but at the will of the senate, who may refuse their consent—or at the will of the president, who may alter his mind before the next session of the senate, and may then nominate another. No man of delicacy would act as a judge under such an appointment. I have a high respect for Mr. Taney as a man and a lawyer, and do not know whether, in the present state of parties, we can expect to obtain a better chief justice; but I do not believe he will take upon himself the functions of a judge of the supreme court, until his nomination shall have been confirmed by the senate. CAUSIDICUS.

FOREIGN NEWS.

Paris papers of the 31st of May have been received at New York.

It was said that the indemnity bill would be taken up and passed on the 4th of June, by the chamber of peers.

The question of complying with the demand of the queen of Spain for an armed intervention on the part of France, was still undecided. The French papers are filled with speculations on this subject. It is stated in some of them that Russia, Prussia and Austria will oppose it, and support Don Carlos with 150,000 or 180,000 men. The queen's forces are very hardly pressed by Zumalacarreguy.

WEST INDIES AND SOUTH AMERICA.

Symptoms of insubordination had broken out on several estates in the island of Jamaica, requiring the prompt interference of the military for their suppression.

The Kingston Chronicle contains numerous statements of a falling off in the sugar crop on various plantations, in consequence of the new system: on one 80 hogsheads where 170 were raised last year; on another, a reduction from 190 to 160; on two others, from 330 to 260, &c. &c. &c.

The authorities seem to be actively engaged in laying out townships and making other arrangements for the introduction and settlement of immigrants in large numbers—the intention being to substitute white laborers for the negroes.

A private letter dated Panama, May 26th, states that the agent of baron Thierry was most kindly received at Bogota by the president of the republic, and that the latter promised to exert all his influence with the congress to meet the baron's views.

The great object of baron Thierry in cutting this canal to connect the Atlantic and Pacific oceans, is to facilitate the intercourse between Europe and the islands of New Zealand—upon which he has undertaken to found a colony. It appears that he has actually commenced operations, having sailed from Panama on the 29th of May, with his family and attendants, on board the armed ship Active. He is said to have written, before his departure, to the kings of France and Great Britain, claiming their protection for the infant nation he is about to establish, and communicating his declaration of independence as sovereign chief of New Zealand.

The states of New Grenada, Venezuela and Equator have divided their public debt between them—according to population.

Gen. Flores has destroyed all his enemies in Equator, and established another constitution.

It seems that very soon we shall have steamboats on the Magdalena, for Mr. Elvers, who is privileged for that purpose, expects to receive two, one of iron, constructed in England. This enterprise will be productive of immense profit to those engaged in it, and will be very advantageous to commerce and travellers. That is—if the boatmen do not destroy the steamboats!

☞Paris accounts of the 5th ult. have been since received. It is said that the committee, in the chamber of peers, made their report on the 4th, on the American indemnity question.—After some remarks by M. Barante, the further discussion of the subject was postponed to the 11th, in spite of the efforts of M. Dubouchage, who wished it put off till the 15th. We see nothing in the tone of M. Barante's remarks which varied the aspect of the question.

The trial of the Lyons insurgents in the French chamber of peers was not concluded.

In the British house of commons, June 2d, in answer to an inquiry from lord Londonderry, lord Melbourne stated what assistance had been thus far rendered to Spain by England under the quadruple treaty. The general subject of the call for intervention does not appear to have been discussed on that occasion.

Elisondo and Urdache have been evacuated by the troops of the queen of Spain. The garrisons had gone to Pampeluna.

[*Journal of Com.*

HONORS TO JUDGE MARSHALL.

NEW YORK.

Pursuant to public notice, the members of the *New York* bar assembled at the City hall, on the occasion of the death of chief justice MARSHALL.

Chancellor *Kent* was called to the chair, and chief justice Jones and judge Edwards were appointed vice presidents; David B. Ogden and vice chancellor McCoun, secretaries.

Mr. *Ogden* rose to offer a few resolutions, which he prefaced with some brief remarks on the virtues and high intellectual attainments of the late chief justice. He enumerated, in an eloquent manner, his purity of character—his devotion to the duties of his office—his steady and unwavering patriotism and love of country—his great simplicity of manners, and the attachment felt for him by all parties, and in the midst of severe and trying political times; and concluded by proposing the following resolutions, which were seconded by judge Josiah Ogden Hoffman, and unanimously adopted:

Resolved, That this meeting receive with deep sensibility, the intelligence of the death of JOHN MARSHALL, late chief justice of the United States.

Resolved, That we feel that reverence for his character and cherish that affection for his memory, which are so justly due from all classes of the community, for that long period of public services which rendered his life of inestimable value to his country.

Resolved, That this meeting would acknowledge in a special manner his matchless intellect, his profound wisdom, his spotless integrity, his attractive simplicity, his stern patriotism and unshaken fortitude, which have enabled him, in a very eminent degree, to expound and vindicate the constitution, and elevate the jurisprudence of the United States, and will transmit his name to posterity with lasting marks of national admiration and gratitude.

Resolved, That, in testimony of our sense of his virtues and merits, we will wear the usual badge of mourning for sixty days.

Resolved, That chancellor Kent, chief justice Jones, judge Edwards, vice chancellor McCoun and D. B. Ogden, communicate to the bereaved family of the deceased, the condolence and sympathy of the New York bar.

Resolved, That James Kent, esq. the chairman of this meeting, be requested to pronounce an eulogium upon the character of the deceased, before the gentlemen of the bar of this city, at such time and place as may suit his convenience; and that Mr. D. B. Ogden, vice chan-

cellor McCoun and H. R. Storrs, be a committee to make arrangements with chancellor Kent to carry this resolution into effect, and to notify the bar of the time and place of the delivery of such eulogium.

Mr. Blatchford offered a resolution that a committee of five be appointed to co-operate with the committee appointed by the Philadelphia bar, to erect a suitable monument at the city of Washington, in honor of the late chief justice MARSHALL, which was seconded by Mr. Staples, and unanimously adopted.

Messrs. S. P. Staples, R. M. Blatchford, Beverly Robinson, Hugh Maxwell and George Griffin, were appointed the committee.

Resolved, That these proceedings be published.

JAMES KENT, *president*.

SAMUEL JONES, } *vice presidents*.
OGDEN EDWARDS, }

Wm. T. McCoun, } *secretaries*.
David B. Ogden, }

RICHMOND.

From the Enquirer of July 10.

The death of this illustrious man will excite the profoundest regret throughout the U. States. He breathed his last in Philadelphia, on Monday evening, the 6th instant. The melancholy news was received in this city yesterday morning—though it had been for several days expected. The great wish of every person then was, to pay the most marked respect to the remains of one of the greatest men whom this country has ever produced.

* * * * * * * *

To attempt any praise upon the brilliant talents of judge Marshall, would be as superfluous a task as to "gild refined gold, or add perfume to the violet." The universal testimony of his country has uniformly pronounced them to be of the first order. But perhaps it is even a more grateful incense to the memory of judge Marshall to say, that he was as much beloved, as he was respected. His manners were characterised by so much simplicity and kindness—there was about him so little of "the insolence of office," and so much of the benignity of the man, that his presence always produced in the social circle the most delightful impressions. There was something irresistibly winning about him. No man was entitled to more notice—but no man ever pretended to less. It was surprising to see the effect which he wrought upon strangers. They had viewed him at a distance with a species of awe, on account of his elevated character. But his manners operated like magic upon them. When they saw him, they were surprised by the simplicity of his demeanor—and you could scarcely persuade them, that in the plain, unpretending, though polished gentleman before them—the man who told his anecdote and enjoyed the jest—they had been introduced to the chief justice of the United States, whose splendid powers had filled such a large space in the eye of mankind.

Thus have we lost in the course of one week, two of the distinguished soldiers in the revolution—two of the worthiest citizens of Richmond—two of the oldest officers of the federal government. Major Gibbon died on the 1st—judge Marshall on the 6th July. They had been united through their lives in the strictest friendship. They left the world nearly at the same moment. And there was this singular coincidence on the eves of their dissolution—that they both lost, by extraordinary accidents, two of their nearest and dearest kin—the one a son, the other a grandson—and both were saved the pain of hearing their loss.

Every possible respect has been shown to the remains of the chief justice, which were brought to this city last evening from the steamboat Kentucky. The city bell tolled yesterday nearly the whole of the day—guns were fired—and perhaps no funeral procession in this city has ever been more extensive and solemn than the one which yesterday attended him to his grave.

The corpse was carried to his own house, according to his own request, and thence was conveyed to the new burying ground, where the remains now sleep near the ashes of his wife.

The funeral service was read by bishop Moore.

The procession moved up the main street, according to the order which is specified in the resolutions of the Common Hall of the city.

The body was accompanied to this city by major general Scott, of the United States army—and by a most respectable committee of Philadelphia, consisting of judge Baldwin, of the supreme court of the United States, and John Sergeant, Richard Peters, E. D. Ingraham and William Rawle, esqrs. *These gentlemen have been received as the guests of the city.*

—

At a general court of Virginia, held at the capitol, in the city of Richmond, on Thursday, the 9th day of July, 1835:

Present, judges Smith, Saunders, Parker, Field, May, Lomax, Scott, Thompson, Estill, Duncan and Clopton.

The court having received intelligence of the decease of JOHN MARSHALL, chief justice of the United States—

Resolved, That as a testimony of respect for his memory, and esteem for his high moral worth, distinguished talents and eminent public services, the members of this court will wear crape on the left arm during the residue of this term.

Resolved, That the court be now adjourned until tomorrow morning, 10 o'clock.

A copy—teste N. P. HOWARD, *clerk*.

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City Hall—city of Richmond.

In common council, 9th July, 1835:

Resolved, That the mayor be requested to convene the citizens of Richmond, at some early day, for the purpose of further testifying the deep sense of the calamity which our common country, and this city especially, have sustained in the death of JOHN MARSHALL, chief justice of the United States. Teste,

WM. P. SHEPPARD, *clerk*.

In pursuance of the preceding resolution, the citizens of Richmond are requested to convene in the hall of the house of delegates—in the capitol, this afternoon, at 5 o'clock. JOSEPH TATE, *Mayor*.

July 10*th*, 1835.

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From the Whig—same date.

As soon as the intelligence of general *Marshall's* death was received yesterday, and that his remains would leave Philadelphia on Wednesday morning, and reach this city by the steamboat on yesterday evening, the common hall met and adopted those steps for rendering honor to the corpse of the illustrious deceased, which may be seen in another place, and the general court of Virginia, now in session, adjourned. Business generally was suspended.

The remains of the chief justice arrived between three and four o'clock, attended by a distinguished committee, consisting of judge *Baldwin*, of the supreme court, Messrs. *John Sergeant*, *Ingersoll*, and *Peters*, of the Philadelphia bar—appointed by the court and bar of Philadelphia. They were met at the Union hotel, by a great and imposing procession of officers of government, the clergy, citizens, the military, the masonic brethren, the corporate authorities, &c. and escorted to the residence of the deceased. There the service for the dead, according to the ritual of the Episcopal church, was performed by the right reverend bishop *Moore*, in a most feeling and fervent manner; which concluded, the mortal part of JOHN MARSHALL was consigned to the grave in the new burying ground. All men feel the sense of a great national loss, and all turn their eyes with solicitude to him who is to be called to fill the place of the American Hale.

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At a meeting of the citizens of Richmond, convened at the capitol, on Friday the 10th July, 1835, at the request of the mayor, in pursuance of the following resolution adopted.

"*In common council, July 9th*, 1835.

"*Resolved*, That the mayor be requested to convene the citizens of Richmond, at some early day, for the purpose of further testifying the deep sense of the calamity which our common country, and this city especially, have sustained in the death of JOHN MARSHALL, chief justice of the U. States."

On motion of Mr. *Stanard*,

The mayor of the city was called to the chair;

And on Mr. *Leigh's* motion,

Mr. Wyndham Robertson was appointed secretary.

Mr. Leigh rose, and after paying to Mr. Marshall the tribute of a brief, but feeling eulogium, offered the following preamble and resolutions.

The people of the city of Richmond, feeling in common, as they well believe, with their fellow citizens throughout the nation, the profoundest veneration for the memory of the late JOHN MARSHALL, chief justice of the United States—having united during his life in the universal sentiment of admiration of his great abilities, respect for his exalted public virtues, confidence in his wisdom, and gratitude for his services in so many honorable and important stations throughout his long and useful life, and especially in the high judicial office which he filled for more than thirty-four years—and knowing, from the closer intercourse with him better than any other community can know, the virtues that adorned his private character; the amiable simplicity of his manners; his unaffected modesty; his cheerful and happy temper; his habits of self-denial; his warm benevolence towards all men; his active beneficence and unbounded charity; not only prompt when sought, but ever seeking objects of kindness—feeling, therefore, that though this whole nation may join with them in equal veneration of the wise statesman, the just judge, and the blameless patriot, none can have felt such love for the man as they have felt, or can mourn her loss as they mourn it—and being desirous to erect some lasting monument of their sentiments,

Resolved, therefore, by the citizens of Richmond, now in general meeting assembled, That the common council be requested, in compliance with the unanimous wish of the whole people of this city, to cause a monument to be erected, at the expense of the city, over the remains of JOHN MARSHALL, in the public burying ground, with a suitable inscription commemorative of his merits, and their sense of them.

Resolved, further, That this meeting, sensible that their fleeting language and perishable acts are wholly inadequate to the merits of such a man, trust, as they may most confidently do, to history alone, to render due honors to his memory, by a faithful and immortal record of his wisdom, his virtues, and his services.

Resolved, That the chairman and secretary be requested to communicate the foregoing preamble and resolutions to the family of the late chief justice MARSHALL; to express to them the deep sympathy of their fellow citizens in the bereavement they have sustained; and to request assent to the purpose of the first resolution.

The resolutions were seconded by Mr. Chapman Johnson, and, on questions severally put, were adopted unanimously.

On motion of Mr. Stanard, the meeting then adjourned. JOSEPH TATE, *chairman*.

WYNDHAM ROBERTSON, *Secretary*.

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At a meeting of the judges and members of the bar of the federal and state courts of this city, assembled at the court room in the masonic hall, Baltimore, on motion of Nathaniel Williams, district attorney of the United States, Elias Glenn, judge of the district court, was appointed chairman, John Purviance, a judge of the sixth judicial district of Maryland, assistant chairman, and U. S. Heath, secretary.

Whereupon the following resolutions, offered by David Hoffman, who preceded them by an appropriate and impressive address, were unanimously adopted:—

Resolved, That the judges and members of the bar here assembled, feel with the deepest sensibility, the great national bereavement sustained in the death of JOHN MARSHALL, chief justice of the United States.

Resolved, That the eminent probity, the great professional learning, the clear judicial mind, and the dignified and courteous manner, which in a remarkable degree characterized the deceased during a period of nearly thirty-five years, since his appointment to the highest judicial station of the country, render him an illustrious example of emulation to present and future ages.

Resolved, That to testify our profound respect for his exalted patriotism, private worth and judicial excellence, we will wear the usual badge of mourning for two months.

Resolved, That, as a further testimonial of our sincere veneration for his memory, a faithful likeness of him be procured, to be executed by one of our most eminent artists, and that David Hoffman, Nathaniel Williams, and Upton S. Heath, be a committee authorised to obtain such likeness.

Resolved, That this meeting fully concur in the resolution of the Philadelphia bar, in respect to the erection of a monument to the memory of chief justice MARSHALL—and will co-operate therein.

Resolved, That the several editors of this city be respectfully requested to publish the foregoing proceedings.

ELIAS GLENN, } *chairmen*.
JOHN PURVIANCE, }

UPTON S. HEATH, *Secretary*.

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It may be well here to add the following from the *New York Evening Post*—happy to say that it is the only "thing of the sort" that we have seen:

"Judge Marshall was a man of very considerable talents and acquirements, and great amiableness of private character. His political doctrines, unfortunately, were of the ultra federal or aristocratic kind. He was one of those who, with Hamilton, distrusted the virtue and intelligence of the people, and was in favor of a strong and vigorous general government, at the expense of the rights of the states and of the people. His judicial decisions of all questions involving political principles have been uniformly on the side of implied powers and a free construction of the constitution, and such also has been the uniform tendency of his writings. That he was sincere in these views, we do not express a doubt, nor that he truly loved his country; but that he has been all his life long, a stumbling block and impediment in the way of democratic principles no one can deny, and his situation, therefore, at the head of an important tribunal, constituted in utter defiance of the very first principles of democracy, has always been to us, as we have before frankly stated, an occasion of lively regret. *That he is at length removed from that station* IS A SOURCE OF SATISFACTION, while at the same time we trust we entertain a proper sentiment for the death of a good and exemplary man."

MOBOCRATS PUNISHED.

Sheriff's court, (New York) July 10.

FROM THE SUN.

Before the sheriff and a jury.

George Smith vs. *John Prendergrast*.—On Friday, by virtue of a writ of inquiry, from chief justice Jones of the superior court, directed to the sheriff of the city and county of New York, an inquest was taken before the said sheriff and jury in the case of col. George Smith, a respectable builder, against John Prendergrast, a butcher, for the recovery of damages, for a most wanton and cruel assault and battery committed on said Smith by said Prendergrast, on the 3d Avenue, on the 2d January last. The facts in brief, were as follows: Col. Smith, Mr. Joseph Brownwell, Thomas Hyatt, Thomas Walters, with Messrs. Palmer and Nafey and their wives, set out in their sleighs to go to Harlæm for a ride; and on the 3d Avenue, between Yorkville and Harlæm, as Mr. Brownwell, who was in advance of the rest with his wife in the sleigh, was driving on the extreme right of the avenue, he was obliquely run into by the sleigh in which were John Prendergrast, Peter N. Messerole, William Bear, and William Simonson, by which collision the shafts of the sleigh of Prendergrast were broken and the horse ran away, Mr. Brownwell stopping his horses and jumping out to aid them, they all rushed upon him with the fury of demons, beat him most unmercifully, and his wife clinging to him, was also beaten and had her veil torn off and lost. Colonel Smith and the others, with their wives, coming up in the other sleighs, and being called on by Brownwell to interpose for the pacification of the enraged assailants, was fallen upon, dreadfully beaten and bruised, thrown down, stamped upon with the heels of their boots in his face, had his front teeth knocked loose, and was in danger of being murdered, they swearing they would kill him. In this infamous outrage, Bear and Prendergrast were the most conspicuous actors, and they were all tried and convicted at the court of sessions in March last. Bear was sent to the penitentiary for a year.—Prendergrast and Messerole, were fined twenty-five dollars each, and Simonson five dollars. This paltry punishment, bearing no proportion to the outrage, colonel Smith brought a civil suit against Prendergrast, the only man of property amongst them; and the suit being conducted ex parte by Francis B. Cutting, esq. and the proper proof made to establish the foregoing facts, the jury found a verdict against Prendergrast of $2,500 damages, and 6 cents costs, a sum sufficiently large, it is hoped, to deter him from the commission of such outrages in future.

THE REPUBLIC OF MEXICO.

We present a more full account of the plan of *Toluca* for the perfection of a despotic government in Mexico. It seems to have been adopted by several other states, and rendered probable that it will be accepted by all—and all persons will be condemned as traitors and apostates who do not shout hosannahs to the "glory" of the new master of the country. That it has been devised in caucus, and is approved by *general* SANTA ANNA and his adherent military board, there is little reason to doubt—for it has all the method of the "toadies" that are to surround and support the throne of the "*supreme chief*," the "*invincible*" and the "*glorious*" general. It forms a consolidated government, and has for its chief agent the strongest tie that knaves have contrived to sustain themselves—an *exclusive* religious establishment; the supreme curse of mankind—enslaving and bringing into captivity both the bodies and souls of men: and there is no hope of extrication, unless in a revolution more bloody than any that has yet happened in that distracted and afflicted country—which has been a field of blood from the beginning of the republic, through her *generals* and *priests*; an unholy alliance between the *sword* and the *cross*. It would have been well for Mexico had she remained obedient to the parent country—Spain. Under the reign of the viceroys, the people had, at least, peace and safety, and were prosperous; and many of them intelligent and an honor to their kind. But nearly all the latter have been killed off, and Mexico is a vast dominion of ignorance and crime. The "*illustrious savior of his country*" will give to his countrymen "glory enough" in obeying his decrees!

We have long seen the approaches to this dastardly movement, that a military and ghostly despotism may be established; and, if in its consummation, it shall become a beacon to others, the work, so repugnant to the spirit of the age, may not be altogether lost.

"Exposition and plan of the city of Toluca, for the purpose of establishing in the nation, a popular, representative and central system."

The city of Toluca—like the whole republic—is aware from long and severe experience of more than 10 years, that the continuance, the repetitions and the weight of all public evils have been caused by a vicious system of social organization—remembering that the nation adopted it seduced by a desire to imitate the political government of the United States of the north, being then unable to comprehend the relations of that system, and to reflect on our own differing customs, elements of society and incipient state of civilization; and not foreseeing the unhappy consequences necessarily produced by the violent divisions in the heterogeneous parts of one mass which nature had made homogeneous and compact. Feeling therefore the pressing and imperious necessity of now terminating and hereafter preventing the abuses which have frequently been made of power by the authorities of the different states—using it formerly and at present in several of them to the prejudice of the people, with whose happiness—(the prime object of all social institutions)—they had been intrusted, but which they sacrificed to their own private interests or to disgraceful passions: Convinced also that it is indispensably necessary to adopt a mode of government more consistent with the establishment of an administration, so economical as to repair the property, decay and ruin to which the profession and complexities of the present system has reduced the country; and so strong as to extricate it from opprobious and oppressive bankruptcy, to supply our internal wants, and restore and consolidate our impaired credit. Opposed also to tyrannical and absolute power, whether exercised by one or more persons or by the unbiassed multitude; tired of enduring sometimes heavy and barbarous oppression, sometimes dreadful and bloody anarchy, desirous at length to see perpetually and irrevocably secured the peaceful enjoyment of a moderate, rational and constitutional freedom, and of the other social rights which have hitherto been merely nominal and basely violated: And believing that an auspicious opportunity has now occurred of acquiring those invaluable blessings, when the nation has been restored to tranquillity through the wisdom and patriotism of the representatives of the people—assisted by the efficient endeavors, the powerful co-operation and firm support of the *illustrious saviour of the country*, THE INVINCIBLE general SANTA ANNA; a period that leaves no doubt of the happy issue of so glorious an undertaking: And that this glorious event may be obtained without dissentions, revolts and exposing the property of any citizen to alienation and abuse, but rather prudently conciliating all and paying proper respect and attention to the rights acquired under the present government.

Therefore all the public officers of Toluca decree:

1st. That conforming her desires with those of the nation, manifested in an unequivocal manner, the form of government most consistent with the happiness of the people is that of a popular, representative, central system.

2d. That the constitution to be established must be based on the acknowledgement exclusively of the C. A. R. religion; on the independence of the nation as regards its actual territory; on the division of the powers of government; and on the freedom of the press.

3d. That on account of the heroic sacrifices and noble exertions so generously made in favor of the freedom of the country by the illustrious and excellent D. ANTONIO LOPEZ DE SANTA ANNA, he shall continue to be recognized as president and SUPREME CHIEF of the nation; and protector of its votes freely expressed.

4th. That for the maintenance of public order, and till the central constitution shall be devised, the actual authorities shall continue to exercise their functions, being subject to the existing laws to maintain public peace and individual rights: and that none shall be deprived of office, except those who *oppose* the present project!

5th. That to prevent disturbance, and to secure the free manifestation of the public will, the supreme government of the republic shall be respectfully requested to adopt measures necessary to enforce this plan.

6th. That to avoid all difficulties which might retard the adoption of prompt and effective measures to secure an object so important, the votes by which—in the plan of Cuernavaca and other late electoral decrees—the actual representatives are authorised to introduce changes even in the form of government, if found—as now they appear—necessary and urgent; and that all indispensable powers be accorded to the said representatives that may be required.

7th. That copies of this plan, with the preamble, shall be transmitted to the supreme authorities of the nation and of the state; that each in his sphere of authority may adopt the most proper measures for uniting on the present plan.

Toluca, 29th May, 1835.

The following account of the proceedings of Santa Anna, is a foretaste of those that are to come.

A correspondent of the Courier & Enquirer writes from Vera Cruz, under date of the 22d ult.

The excesses committed by the victor Santa Anna and his troops in Zacatecas and vicinity, are without parallel in the history of civilized nations. It appears that all strangers were exposed to their diabolical rage; the only American in the place was basely assassinated in presence of his wife, who was afterwards stabbed to the heart, stripped of her clothing and thrown exposed into the street. The English residents at the mines were robbed, their property wantonly destroyed, and some murdered and all menaced with extermination. The English minister has made a peremptory demand for indemnity to his majesty's subjects, for the injuries done to their property, which they will doubtless obtain. We have no minister at this court to make a similar demand for the injuries done our citizens, and if made by our late charge des affaires, it would doubtless be unavailing, as in all previous ones. The impropriety with which the authorities of this country have outraged both the persons and property of our citizens, renders them peculiarly obnoxious to future abuse from the authorities during their civil commotions, of which the country has been abundantly prolific for the last ten years.

AMERICAN INSTITUTE—NEW YORK.

The American Institute of the city of New York hereby offer the premium of *one hundred dollars* in money or a gold medal of this value, at the option of the successful competitor, for the best treatise on the causes of explosion or danger in the use of STEAM BOILERS in factories, or in steamboats, or rail roads, with a descriptive demonstration of the best means of prevention, whether original in the author or known and used in any country.

The trustees reserve to themselves the right of dividing this premium between the authors of the two best essays and demonstrations, if no one be completely satisfactorily in all respects.

Experienced and scientific judges will be employed to pass judgment on these productions, and as a collection of facts and circumstances respecting explosions of steam boilers is desirable, the length of the treatise is unrestricted.

The successful productions will become the property of the Institute and subject to their disposal.

The author's signature must be written in sealed packets attached to the essays, and none will be opened without permission of the respective authors but those attached to the successful treatise.

Every treatise to be sealed up and addressed to the trustees and left at the rooms of the Institute, 41 Courtlandt street, on or before the seventh day of October next.

Unsuccessful essays will be returned to their authors unless they permit such to remain in the library of the Institute.

The editors of all papers willing to favor the object of this notice are requested to publish the same as a contribution on their part towards its attainment.

By order of the trustees.

T. B. WAKEMAN, *superintending agent of the American Institute, 41 Courtlandt street, New York.*

To inventors and patentees. There is no class of men who have contributed more than the inventors of labor-saving ma-

chines to increase and to bring to the reach of all classes of mankind the necessaries and conveniences of life. It is proverbial at the same time that little or no advantage accrues to them from their inventions. A committee was appointed by the American Institute to report the cause. Their examinations brought them to the conclusion that it is owing more to a want of an accurate knowledge of the existing patent laws than to any imperfection in those laws. In a large proportion of the cases taken into consideration by the committee the specifications were found defective.

The committee also found that large amounts have been paid every year to the patent office by men who can little afford the expenditure, for supposed new inventions or for such as are altogether useless. Provision, therefore, has been made by the American Institute for affording such gratuitous directions and instructions to inventors and their assignees for securing their rights as the existing laws require, and for discriminating, as far as practicable, between inventions that are new and of value, and those which are useless. Those who wish to avail themselves of this assistance are invited to call at the library of the American Institute, No. 41 Courtlandt street, city of New York

The above notice is in conformity to a resolution of the Institute of the 2d of July, 1835.

T. B. WAKEMAN, *superintending agent.*

ORGANIZATION OF THE POST OFFICE DEPARTMENT.

POSTMASTER GENERAL.

1. The duties of postmaster general are prescribed by law.

2. A journal will be kept in which his official acts will be entered.

3. Extracts from this journal, containing such information as may be useful or interesting to the public, will be published from time to time.

4. All drafts for the payment of money will be drawn by the postmaster general.

5. He will from time to time prescribe rules and regulations which will govern the administration of the department, in subordination to the constitution and laws.

6. No regulations prescribed by him will be construed to have any retrospective effect.

7. No special decision given by him on any account, will be construed as a precedent authorising the allowance of any other similar account.

8. No usage will be introduced or regarded in the settlement of accounts, or other business of the department, which is not founded on express law or lawful regulation.

THE ASSISTANT POSTMASTER GENERAL.

9. The duties of assistant postmaster general will be purely ministerial.

10. In reference to their duties, the United States and territories will be divided into two divisions.

11. The southern division will be composed of the District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi, Arkansas, Tennessee, Kentucky, Indiana, Illinois, and Missouri, and will be under the superintendence of the senior assistant.

12. The northern division will be composed of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Pennsylvania, Ohio, and Michigan, and will be under the superintendence of the junior assistant.

13. The assistants will each designate a principal clerk.

14. They will, in their respective divisions, receive all applications for changes in post offices and postmasters, for the establishment of new post offices, and the appointment of new postmasters, prepare each case for the decision of the postmaster general, and see that each postmaster gives adequate bonds according to law, and renew them as occasion may require.

15. They will watch over the manner in which postmasters, in their respective divisions, perform their official duties, investigate complaints against them, and guard against abuses of the franking privilege, and the articles sent by mail.

16. They will arrange all mail routes in the respective divisions, prepare advertisements for mail contracts, compare and analyze the several bids, submit them to the postmaster general for decision, cause the contracts to be executed, receive and prepare for submission all applications for changes of mail routes, for an extension or curtailment of service, and changes in compensation of contractors.

17. They will watch over the manner in which contractors perform their contracts, cause reports of their delinquencies to be made to the department, require explanations, and when the evidence shall be complete, submit the cases to the postmaster general for his decisions.

18. All bonds of postmasters, and abstracts of all mail contracts, will be sent to the accountant, when they are returned executed.

19. The duplicate contracts, and the proposals, will be lodged in the office of the comptroller of the treasury within ninety days after the contracts are made; and at the end of each month, a report of all additional services, and the compensation allowed therefor, will be made to the said comptroller.

20. Once in each week, each assistant will make report to the postmaster general, of all acts done and entered upon his books, in reference to post offices or postmasters, contractors, contracts or fines, which can originate a new account or effect an old one; which report shall be compared with the journal of the postmaster general, by the chief clerk, and if found correct, be so certified and sent to the accountant.

21. All information received by them, effecting any account, will be immediately communicated to the accountant.

22. After closing all accounts up to 1st July, 1835, the duties of assistants will be confined exclusively to post offices and postmasters, contracts and contractors; it being the chief object of this arrangement to obtain a systematic, rigid, and unceasing supervision over those agents of the department, in the performance of their several duties.

DIVISION OF ACCOUNTS.

23. The accountant of the post office department will superintend the condition and settlement of all accounts, and the collection of balances due.

24. He will cause the books of accounts in current use, to be closed as soon as the pecuniary transactions of the department prior to July 1st, 1835, can be brought upon them, and the balances struck.

25. He will cause these balances to be adjusted with all possible expedition.

26. He will open a new set of books, upon which will be brought the income and expenditures of the department, from and after the 30th June, 1835.

27. Arrearages which may be paid out of the revenue subsequently accruing, will be reported by the accountant paid by drafts drawn by the postmaster general, and charged to a general accountant, entitled "arrearages," and all overpayments previously made so far as they become available in discharging claims of a subsequent date, will be credited to the same account.

28. The accounts of the department will be so kept as to exhibit the entire revenue of the department from each source of income quarterly, and the entire disbursements for each object of expenditure.

29. Postmasters' accounts will be closed quarterly by payments to contractors, deposites in banks or otherwise, as the postmaster general may direct.

30. The accounts of contractors will be closed quarterly, by payments from postmasters, and by drafts on deposite banks.

31. When a contractor has completed the collections he may be required to make from postmasters, and his receipts are received in the department, the accountant will report the condition of his account to the postmaster general. If any thing be due to him, a draft in his favor shall be issued, which, after having been registered by the chief clerk, shall be transmitted to the accountant, who will charge and forward it to the contractor.

32. The deposite banks will be instructed to pay no drafts, (other than those drawn by the treasurer, to close accounts up to 1st July, 1835), which are not drawn by the postmaster general, and certified as being charged by the accountant.

33. Incidental accounts, other than such as appear in the quarterly accounts of postmasters, will be settled and reported by the accountants in the same manner as contractors' accounts.

34. The accounts of postmasters who may be creditors to the department, will be reported and paid in like manner.

35. Contingent accounts will be allowed by the accountant, and all the checks drawn for their payment will bear his approval on their face, and none other will be paid by the bank.

36. The basis of all accounts will be found in the bonds of postmasters, the abstracts of contracts of mail contractors and others, the reports from the ministerial divisions, the authorised agreements and acts of the chief clerk and superintendent of the building, the regulations of the postmaster general, and his special decision, all which will constitute the accountants guide.

37. As often as required, the accountant will lay before the postmaster general the condition of the bank accounts, and the amount of drafts on each bank; which may be outstanding and unpaid.

38. The solicitor's office will constitute a portion of the accountant's division, and be subject to his supervision and control.

39. It is the object of this arrangement to separate the business of settling accounts from the ministerial duties of the department entirely, and this object will be kept steadily in view in the construction of every order and regulation of the postmaster general.

MISCELLANEOUS DIVISION.

40. Mail depredations, the duties appertaining to dead letters, the delineation of maps, the transmission of blanks and of mail locks and keys, the messengers, the superintendent of the building, and such other persons as may be appointed or employed to render any service not falling within either of the foregoing divisions, will be embraced in the miscellaneous division, and be under the superintendence of the chief clerk.

41. All agents employed to investigate mail depredations will be under his direction; but they will also obey any instructions which may be given them by the assistants, which have reference to the business of their respective divisions.

42. He will, with the approval of the postmaster general, make all contracts for mail bags, mail locks and keys, the printing of blanks; and for furnishing any other article, or rendering any service which properly belongs to incidental expenses, and will send the contracts, or an abstract of them and every agreement from which an account may originate, to the accountant.

43. The superintendent of the building will, under the direction of the chief clerk, make all purchases of stationary, office furniture, and every other article for the use of the general post office, properly chargeable to the contingent appropriation and will employ all guards and workmen, and superintend them, together with all repairs to the buildings, fences and grounds.

44. The heads of the several divisions will inform the superintendent from time to time, of all furniture, blanks, blank books, or other articles needed in their respective divisions.

45. The superintendent will receipt for all articles purchased, and certify to all services rendered chargeable to contingent; and without this receipt or certificate no bill will be allowed or paid.

46. The superintendent will hand over to the chief messenger all the stationary purchased, and charge it to him in a book.

47. The chief messenger will charge in a book the amounts of stationary delivered by him from time to time for the use of the postmaster general, the heads of divisions, and each clerk, or other person in the service of the department, and quarterly report the amounts received by each to the postmaster general.

48. No perquisites will be allowed to any one in the service of the department. All furniture, waste paper and every thing else of value, not useful or used in the service of the department, as well as every other refuse article will be delivered to the superintendent, who will, if it cannot be made useful, exchange it for other articles that are so, or cause it to be sold and the money deposited to the credit of the department.

49. The chief clerk will continue to sign as treasurer, all drafts upon postmasters and banks necessary to close the business of the department up to the 1st July, 1835; provided they do not produce an entry on the new books, and with the completion of this service, the functions of treasurer will cease.

General regulations.

50. The heads of divisions will study to simplify and systematize the business of their respective divisions, so as to perform it with as few clerks and as little expense as possible. To this end they will, from time to time, suggest to the postmaster general such changes as may appear to them to be useful.

51. Punctual attendance to their proper stations will be expected from all in the service of the department, during office hours, and at other hours when requested.

52. If any clerk or messenger desire to be absent during office hours, he will obtain leave from the head of his division.

53. Persons in public employment cannot be too scrupulous in refraining from the use of public property for their own benefit or emolument. The postmaster general would look upon the appropriation of the furniture or stationary of the department to the private use of clerks, messengers or their families or its sale for their own private emolument, as a breach of morality and law not to be tolerated.

54. It is the duty of all in the service of the department to see that others regard the post office law as well as themselves. The postmaster general will expect them to report all breeches of those laws which may come to their knowledge; and he will regard as an unpardonable offence in any one of them, not possessing the franking privilege, to ask or accept a frank from any one, to cover his private correspondence.

55. No officer, clerk or agent of the general post office, will receive any present of value or any pecuniary favor from any contractor or other person having business with the department; and when travelling on mail lines they will insist on paying their stage, rail road and steamboat fare like other citizens. Future disregard of these injunctions will not be overlooked.

56. All regulations incompatible with the foregoing are rescinded.

The postmaster general looks to all those under his direction and control for a cheerful and vigorous co-operation in the management of the business of the department, by which they will not only render an essential service to their country, but assuredly promote their own happiness, and extend their individual reputation. It will give him pleasure, and it is his fixed purpose, to advance, as occasion may offer, all such as by their industry, fidelity and correct deportment, may give character to the department, and enable him to discharge honorably the important duties with which he is intrusted.

The organization will take effect, and these regulations will be enforced, from this date.

AMOS KENDALL.

Post office department, 7th July, 1835.

PENNSYLVANIA POLITICS.

To the friends of governor WOLF.

Washington, July 2, 1835.

GENTLEMEN—I had the honor to receive by this morning's mail, your invitation on behalf of the democratic citizens of the first and second congressional districts of your state, friendly to the re-election of George Wolf. Thanking you for this mark of attention, I have to request that you will convey to my democratic friends, the expression of my sincere regret, that it will not be in my power to unite with them on the interesting occasion which calls them together, I beg leave, however, to annex a sentiment, which may not be unexpected from me, and which I trust will be acceptable to all the company. I am very respectfully, your obedient servant,

ANDREW JACKSON.

Messrs. John Thompson and others, committee.

The people of Pennsylvania—The decision and firmness with which they upheld their patriotic governor, in the recent contest with the bank of the United States, have given them new claims to the admiration and respect of their republican brethren throughout the union.

To the Muhlenbergers.

Washington, July 1st 1835.

GENTLEMEN: I regret that it will be out of my power to accept of the invitation with which you have honored me on behalf of the democratic citizens of the 2d congressional district to unite with them in the celebration of the next 4th of July.

In compliance with your request I annex a sentiment which I trust will be acceptable to my fellow citizens who will be assembled on that occasion; and have the honor to be very respectfully your obedient servant, ANDREW JACKSON.

The republican and democratic principles of our government—Their preservation had led us to an unexampled prosperity—their destruction would be followed by public dishonor and private distress. They can only be preserved by the union and harmony of their "true friends."

A letter from Harrisburgh, dated July 8, published in the "*Sentinel*" says—

"I have delayed writing until I should be able to give some information upon which you might place confidence. I knew it was not fairly to be ascertained until after the 4th of July—especially in reference to the fraction of the party which supports Mr. *Muhlenberg*. The celebration of this day so far as has been ascertained throughout the state, has resulted in the most effectual show of strength on the part of the friends of gov. *Wolf*, and an exposition of the weakness of the friends of the Lewistown convention. No more positive proof of "who is the strongest" could be desired. The friends of Mr. *Muhlenberg* now say "*we hope he will decline*." Many of his warmest friends see their error, and take all opportunities of retracting former expressions derogatory to governor *Wolf's* administration. This shows at least how the wind sets.

"*General Jackson's letter to the democrats in Philadelphia, has exercised a wonderful and decided influence in favor of governor Wolf in the country.* The old fellows, who have supported general *Jackson* for the last twelve years, *say they will stand by* ANY *thing he says, and that in no event will they desert him or his friends!* THE TOAST IS THE VERY THING. The *Muhlenbergers* at their celebration in this place lavished their abuse on our Irish naturalized citizens! I should think that would not greatly advance their cause!

"*York* and *Adams* are said to be righting themselves rapidly—indeed the news since the 4th is of the most cheering description, and our friends are in the greatest glee."

But the "Pennsylvanian" of the 15th inst. says—

"Wolf and Ritner are both regarded, and with truth, by the people of Pennsylvania as being tainted with bankism; Ritner as the open and avowed advocate of the United States bank and its conduct, and George Wolf as the decided friend of that institution, attempting under the goading of an insatiate love of office, to conceal his hostility to the principles of the yeomanry of the state. The two men differ only in the qualities of boldness and candor; in the main point they are alike, and will both be rejected on that score, when the hour of trial comes."

* * * * * * * * *

"Notwithstanding the fact that the charge of bankism has been proved upon George Wolf, over and over again, his friends, taking counsel only from despair, are endeavoring at this late hour to press him as an anti-bank candidate for the suffrages of democracy. Like drowning men, they grasp at any thing which holds out the remotest chance of safety, and we will not be surprised if on the eve of October, should they be able to remain in the field so long, they should add the cry of reform to their list, though Wolf is as much opposed to that salutary measure, as he is friendly to the perpetuation of the monster bank.

"To jog their memories on the subject of his excellency, our worthy governor's tenets, we republish the proofs theretofore brought forward to establish the fact of his opposition to the democratic principles upon which the political struggles of 1832 and 1834 were based, and upon which the people of Pennsylvania achieved such memorable triumphs.

"After the veto, and after the election, which turned upon that instrument, in which George Wolf was saved from the effects of his own unpopularity, by the merits of another, he formally put forth the following precious doctrines in relation to the bank, in his message to the legislature:

"'*It would be a subject of regret, if a too strict adherence to a literal construction of the constitution*, in regard to the powers conferred upon congress by that instrument, to establish such an institution, or a too critical analysis of its expediency in a moral or political point of view, or the imprudent, intemperate and impetuous zeal of its friends, and those intrusted with its government and the management and direction of its affairs, should have the effect to prevent a renewal of its charter, sufficiently restricted, checked and guarded, and thus unsettle that which has heretofore been considered as the settled and established policy of the country.'

"Not a particle of these latitudinarian and anti-democratic opinions, has ever been retracted. The message of February, 1834, has been relied on to prove a change, but it contains no such evidence, on which point senator McKean, the originator of the caucus, and the bosom friend and associate of George Wolf, is sufficiently explicit.

"On the 25th of April, 1834, McKean, while speaking of that message, declared in his seat in the senate, that '*governor Wolf was then and is now in favor of a national bank, and he believes the fiscal concerns of the government cannot get along without it.*'

"And again, some days afterwards, he said that it was a matter of his own knowledge that '*governor Wolf's opinions as to the utility and necessity of a national bank had not changed.*'

"These extracts are sufficiently satisfactory, and establish the bankism of George Wolf beyond a doubt, for it is himself and his confidential friend who speak."

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From the Berks and Schuylkill Journal.

We publish to day the letter addressed by general Jackson to the committee of the Wolf party celebrating the 4th of July in the city and county of Philadelphia, and the accompanying toast, which to our apprehension seems to indicate a very favorable state of feeling in the mind of the old hero towards this candidate for the office of governor. If we should be correct in our notion, that general Jackson is a Wolf man, the party support must of course be given to Mr. Wolf. The general is not a man to be thwarted by the wishes of his followers. He has given the word of command in the United States too long to be met with disobedience now. He is the only man since the downfall of Napoleon, who can say "do this" and it is done. We were always under the impression that the Muhlenbergers were the real out and outers of the Jackson party, and had fallen into the common error that the preference was given to that party by the Baltimore convention. No convention nor any other power in this country, however, may safely resist the fiat of the man born to command. As supporters of Ritner for governor, we have nought to do with the quarrels of the enemy, and cannot object to the head of the parties preferring one subordinate to another. We think, however, that there are men in the Muhlenberg ranks, who will not be dictated to by king or kaiser, and who will refuse to perform the behests of the chief when they conflict with their own hopes and interests. These we shall see adhering to their own candidate, and gen. Jackson may learn from their course how much more important is the question, who shall be governor than who shall be president. If in consequence of orders from head quarters it should become apparent to this portion of the party that their candidate cannot be elected, we have no doubt they will fall into the *Ritner* ranks, rather than to submit to a dictation which will be regarded as unwarranted and degrading.

[We shall see the result.]

NORTH CAROLINA STATE CONVENTION.

After a session of little more than five weeks, this body terminated its labors on Saturday morning last, in the utmost harmony, and with the most perfect good feeling existing towards each other, on the part of the members. The closing scene, the particulars of which appear in another column, was not only interesting, but deeply impressive. On his descending from the chair, every member took an affectionate leave of the venerable president, under a firm persuasion that most of them would never see him again.

We shall as rapidly as our limits will permit, bring up the debate in the REGISTER, after which it will be published in a neat volume for preservation, should the demand for the work warrant the undertaking.

As we cannot this week publish the amended constitution, we subjoin a synopsis of the doings of the convention:—

1. Equalizing representation in both houses. 2. Changing the sessions of the legislature from *annual* to *biennial*. 3. Taking the election of governor from the legislature, and giving it to the people, and making it biennial instead of annual. 4. Altering the term of office of the attorney general from continuance during good behaviour, to *four* years. 5. Excluding borough members in future. 6. Abolishing the right of free persons of color to vote. 7. Requiring the general assembly in the election of all officers, to vote *viva voce*. 8. Amending the 32d article of the old constitution so as to admit Roman Catholics to a participation in the offices of the state government. 9. Providing for the future amendments of the constitution. 10. Providing a mode for the impeachment of judges and other officers. 11. Providing for the removal of judges, for mental or physical disability. 12. Providing against unnecessary private legislation.

These amendments are to be submitted to the people for their *ratification* or *rejection*, on the 2d Monday in November next.

[*Register.*

CONSTITUTION OF THE STATE OF MICHIGAN.

In convention, begun at the city of Detroit, on the second Monday of May, in the year one thousand eight hundred and thirty five:

We, the people of the territory of Michigan, as established by the act of congress of the 11th of January, 1805, in conformity to the 5th article of the ordinance providing for the government of the territory of the United States north west of the river Ohio, believing that the time has arrived when our present political condition ought to cease, and the right of self government be asserted; and availing ourselves of that provision of the aforesaid ordinance of the congress of the United States of the 13th day of July, 1787, and the acts of congress passed in accordance therewith, which entitles us to admission into the union, upon a condition which has been fulfilled, do, by our delegations in convention assembled, mutually agree to form ourselves into a free and independant state, by the style and title of "the state of Michigan," and do ordain and establish the following constitution for the government of the same:

ARTICLE 1.

1. All political power is inherent to the people.

2 Government is instituted for the protection, security and benefit of the people; and they have the right at all times to alter or reform the same, and to abolish one form of government and establish another whenever the general good requires it.

3. No man or set of men are entitled to exclusive or separate privileges.

4. Every person has a right to worship Almighty God according to the dictates of his own conscience; and no person

can of right be compelled to attend, erect or support, against his will, any place of religious worship, or pay any tythes, taxes or other rates for the support of any minister of the gospel or teacher of religion.

5. No money shall be drawn from the treasury for the benefit of religious societies, or theological or religious seminaries.

6. The civil and political rights, privileges, and capacities of no individual shall be diminished or enlarged, on account of his opinions or belief concerning matters of religion.

7. Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law should be passed to restrain or abridge the liberty of speech or of the press. In all prosecutions or indictments for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury, that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party shall be acquitted: and the jury shall have the right to determine the law and the fact.

8. The person, houses, papers and possessions of every individual, shall be secure from unreasonable searches and seizures; and no warrant to search any place, or to seize any person or things, shall issue without describing them, nor without probable cause, supported by oath or affirmation.

9. The right of trial by jury shall remain inviolate.

10. In all criminal prosecutions, the accused shall have the right to a speedy and public trial by an impartial jury of the vicinage; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; to have the assistance of counsel for his defence, and in all civil cases in which personal liberty may be involved, the trial by jury shall not be refused.

11. No person shall be held to answer for a criminal offence, unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army or militia when in actual service in time of war or public danger.

12. No person for the same offence shall be twice put in jeopardy of punishment; all persons shall, before conviction, be bailable by sufficient sureties, except for capital offences, when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless when, in case of rebellion or invasion, the public safety may require it.

13. Every person has a right to bear arms for the defence of himself and the state.

14. The military shall, in all cases and at all times, be in strict subordination to the civil power.

15. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner prescribed by law.

16. Treason against the state shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort; no person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

17. No bill of attainder, expost facto law, or law impairing the obligation of contracts shall be passed.

18. Excessive bail shall not be required; excessive fines shall not be imposed; and cruel and unjust punishments shall not be inflicted.

19. The property of no person shall be taken for public use, without just compensation therefor.

20. The people shall have the right freely to assemble together, to consult for the common good, to instruct their representatives, and to petition the legislature for redress of grievances.

21. All acts of the legislature contrary to this or any other article of this constitution shall be void.

ARTICLE II.

Electors.

1. In all elections, every white male citizen above the age of twenty-one years, having resided in the state six months next preceding any election, shall be entitled to vote at such election; and every white male inhabitant of the age aforesaid, who may be a resident of this state at the time of the signing of this constitution, shall have the right of voting as aforesaid; but no such citizen or inhabitant shall be entitled to vote, except in the district, county or township in which he shall actually reside at the time of such election.

2. All votes shall be given by ballot, except for such township officers as may, by law, be directed to be otherwise chosen.

3. Electors shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendence at elections, and in going to and returning from the same.

4. No elector shall be obliged to do militia duty on the days of election, except in time of war or public danger.

5. No person shall be deemed to have lost his residence in this state by reason of his absence on business of the United States, or of this state.

6. No soldier, seaman or marine, in the army or navy of the United States, shall be deemed a resident of this state in consequence of being stationed in any military or naval place within the same.

ARTICLE III.

Division of the powers of government.

1. The powers of the government shall be divided into three distinct departments; the legislative, the executive and the judicial; and one department shall never exercise the powers of another, except in such cases as are expressly provided for in this constitution.

ARTICLE IV.

Legislative department.

1. The legislative power shall be vested in a senate and house of representatives.

2. The number of the members of the house of representatives, shall never be less than forty eight, nor more than sixty hundred: and the senate shall, at all times, equal in number one-third of the house of representatives, as nearly as may be.

3. The legislature shall provide by law for an enumeration of the inhabitants of this state in the years 1837 and 1845, and every ten years after the said last mentioned time; and at their first session after each enumeration so made as aforesaid, and also after each enumeration made by the authority of the U. States, the legislature shall apportion anew the representatives and senators among the several counties and districts, according to the number of white inhabitants.

4. The representatives shall be chosen annually on the first Monday of November and on the following day, by the electors of the several counties or districts into which the state shall be divided for that purpose. Each organized county shall be entitled to at least one representative; but no county hereafter organized shall be entitled to a separate representative, until it shall have attained a population equal to the rate of representation hereafter established.

5. The senators shall be chosen for two years, at the same time and in the same manner as the representatives are required to be chosen. At the first session of the legislature under this constitution, they shall be divided by lot from their respective districts, as nearly as may be, into two equal classes; the seats of the senators of the first class shall be vacated at the expiration of the first year, and of the second class at the expiration of the second year; so that one half thereof, as nearly as may be, shall be chosen annually thereafter.

6. The state shall be divided, at each new apportionment, into a number of not less than four, nor more than eight senatorial districts, to be always composed of contiguous territory, so that each district shall elect an equal number of senators annually, as nearly as may be; and no county shall be divided in the formation of such districts.

7. Senators and representatives shall be citizens of the U. States, and be qualified electors in the respective counties and districts which they represent; and a removal from their respective counties or districts shall be deemed a vacation of their seats.

8. No person holding any office under the United States, or this state, officers of the militia, justices of the peace, associate judges of the circuit and county courts, and postmasters excepted, shall be eligible to either house of the legislature.

9. Senators and representatives shall, in all cases except treason, felony or breach of the peace, be privileged from arrest, nor shall they be subject to any civil process, during the session of the legislature, nor for fifteen days next before the commencement and after the termination of each session.

10. A majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as each house may provide. Each house shall choose its own officers.

11. Each house shall determine the rules of its proceedings, and judge of the qualifications, elections and returns of its own members; and may, with the concurrence of two-thirds of all the members elected, expel a member; but no member shall be expelled a second time for the same cause, nor for any cause known to his constituents antecedent to his election.

12. Each house shall keep a journal of its proceedings, and publish the same, except such parts as may require secrecy, and the yeas and nays of the members of either house, on any question, shall, at the request of one fifth of the members present, be entered on the journal. Any member of either house shall have liberty to dissent from and protest against any act or resolution which he may think injurious to the public or an individual, and have the reasons of his dissent entered on the journal.

13. In all elections by either or both houses, the votes shall be given *viva voce*, and all votes on nominations made to the senate shall be taken by yeas and nays, and published with the journal of its proceedings.

14. The doors of each house shall be open, except when the public welfare shall require secrecy; neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that where the legislature may then be in session.

15. Any bill, may originate in either house of the legislature.

16. Every bill passed by the legislature shall, before it becomes a law, be presented to the governor; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large upon their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of all the members present agree to pass the bill, it shall be sent, with the objections, to the other house, by whom it shall likewise be reconsidered; and if approved also by two-thirds of all the members present in that house, it shall become a law; but in such cases, the

votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the journals of each house respectively: And if any bill be not returned by the governor within ten days, Sundays excepted, after it has been presented to him, the same shall become a law, in like manner as if he had signed it, unless the legislature, by their adjournment, prevent its return, in which case it shall not become a law.

17. Every resolution to which the concurrence of the senate and house of representatives may be necessary, except in cases of adjournment, shall be presented to the governor, and, before the same shall take effect, shall be proceeded upon in the same manner as in the case of a bill.

18. The members of the legislature shall receive for their services, a compensation to be ascertained by law, and paid out of the public treasury; but no increase of the compensation shall take effect during the term for which the members of either house have been elected: and such compensation shall never exceed three dollars a day.

19. No member of the legislature shall receive any civil appointment from the governor and senate, or from the legislature, during the term for which he is elected.

20. The governor shall issue writs of election to fill such vacancies as may occur in the senate and house of representatives.

21. The legislature shall meet on the first Monday in January in every year, and at no other period, unless otherwise directed by law or provided for in this constitution.

22. The style of the laws of this state shall be—*Be it enacted by the senate and house of representatives of Michigan.*

ARTICLE V.

Executive department.

1. The supreme executive power shall be vested in a governor, who shall hold his office for two years; and a lieutenant governor shall be chosen at the same time and for the same term.

2. No person shall be eligible to the office of governor or lieutenant governor, who shall not have been five years a citizen of the United States, and a resident of this state two years next preceding the election.

3. The governor and lieutenant governor shall be elected by the electors at the times and places of choosing members of the legislature. The persons having the highest number of votes for governor and lieutenant governor shall be elected; but in case two or more have an equal and the highest number of votes for governor or lieutenant governor, the legislature shall by joint vote choose one of the said persons, so having an equal and the highest number of votes, for governor or lieutenant governor.

4. The returns of every election for governor and lieutenant governor shall be sealed up and transmitted to the seat of government, by the returning officers, directed to the president of the senate, who shall open and publish them in the presence of the members of both houses.

5. The governor shall be commander-in-chief of the militia, and of the army and navy of this state.

6. He shall transact all executive business with the officers of government, civil and military; and may require information, in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices.

7. He shall take care that the laws be faithfully executed.

8. He shall have power to convene the legislature on extraordinary occasions. He shall communicate by message to the legislature, at every session, the condition of the state, and recommend such matters to them as he shall deem expedient.

9. He shall have power to adjourn the legislature to such time as he may think proper, in case of a disagreement between the two houses with respect to the time of adjournment, but not to a period beyond the next annual meeting.

10. He may direct the legislature to meet at some other place than the seat of government, if that shall become, after its adjournment, dangerous from a common enemy or a contagious disease.

11. He shall have power to grant reprieves and pardons after conviction, except in cases of impeachment.

12. When any office, the appointment to which is vested in the governor and senate, or in the legislature, becomes vacant during the recess of the legislature, the governor shall have power to fill such vacancy by granting a commission, which shall expire at the end of the succeeding session of the legislature.

13. In case of the impeachment of the governor, his removal from office, death, resignation, or absence from the state, the powers and duties of the office shall devolve upon the lieutenant governor until such disability shall cease, or the vacancy be filled.

14. If, during the vacancy of the office of governor, the lieutenant governor shall be impeached, displaced, resign, die or be absent from the state, the president of the senate, pro tempore, shall act as governor, until the vacancy be filled.

15. The lieutenant governor shall, by virtue of his office, be president of the senate; in committee of the whole, he may debate on all questions; and, when there is an equal division, he shall give the casting vote.

16. No member of congress, nor any other person, holding office under the United States, or this state, shall execute the office of governor.

17. Whenever the office of governor or lieutenant governor becomes vacant, the person exercising the powers of governor for the time being shall give notice thereof, and the electors shall, at the next succeeding annual election for members of the legislature, choose a person to fill such vacancy.

18. The governor shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the term for which he has been elected.

19. The lieutenant governor, except when acting as governor, and the president of the senate, pro tempore, shall each receive the same compensation as shall be allowed to the speaker of the house of representatives.

20. A great seal for the state shall be provided by the governor, which shall contain the device and inscriptions represented and described in the papers relating thereto, signed by the president of the convention, and deposited in the office of the secretary of the territory. It shall be kept by the secretary of state; and all official acts of the governor, his approbation of the laws excepted, shall be thereby authenticated.

21. All grants and commissions shall be in the name, and by the authority, of the people of the state of Michigan.

ARTICLE VI.

Judicial department.

1. The judicial power shall be vested in one supreme court, and in such other courts as the legislature may from time to time establish.

2. The judges of the supreme court shall hold their offices for the term of seven years; they shall be nominated, and by and with the advice and consent of the senate, appointed by the governor. They shall receive an adequate compensation, which shall not be diminished during their continuance in office. But they shall receive no fees nor perquisites of office, nor hold any other office of profit or trust under the authority of this state, or of the United States.

3. A court of probate shall be established in each of the organized counties.

4. Judges of all county courts, associate judges of circuit courts, and judges of probate, shall be elected by the qualified electors of the county in which they may reside, and shall hold their offices for four years.

5. The supreme court shall appoint their clerk or clerks; and the electors of each county shall elect a clerk, to be denominated a county clerk, who shall hold his office for the term of two years, and shall perform the duties of clerk to all the courts of record to be held in each county, except the supreme court and court of probate.

6. Each township may elect four justices of the peace, who shall hold their offices for four years; and whose powers and duties shall be defined and regulated by law. At their first election they shall be classed and divided by lot into numbers one, two, three and four, to be determined in such manner as shall be prescribed by law, so that one justice shall be annually elected in each township thereafter. A removal of any justice from the township in which he was elected, shall vacate his office. In all incorporated towns, or cities, it shall be competent for the legislature to increase the number of justices.

7. The style of all process shall be "*In the name of the people of the state of Michigan;*" and all indictments shall conclude against the peace and dignity of the same.

ARTICLE VII.

Certain state and county officers.

1. There shall be a secretary of state, who shall hold his office for two years, and who shall be appointed by the governor by and with the advice and consent of the senate. He shall keep a fair record of the official acts of the legislative and executive departments of the government; and shall, when required, lay the same, and all matters relative thereto, before either branch of the legislature; and shall perform such other duties as shall be assigned him by law.

2. A state treasurer shall be appointed by a joint vote of the two houses of the legislature, and shall hold his office for the term of two years.

3. There shall be an auditor general and an attorney general for the state, and a prosecuting attorney for each of the respective counties, who shall hold their offices for two years, and who shall be appointed by the governor, by and with the advice and consent of the senate, and whose powers and duties shall be prescribed by law.

4. There shall be a sheriff, a county treasurer, and one or more coroners, a register of deeds, and a county surveyor, chosen by the electors in each of the several counties once in every two years, and as often as vacancies shall happen. The sheriff shall hold no other office, and shall not be capable of holding the office of sheriff longer than four in any term of six years; he may be required by law to renew his security from time to time, and in default of giving such security, his office shall be deemed vacant; but the county shall never be made responsible for the acts of the sheriff.

ARTICLE VIII.

Impeachments and removals from office.

1. The house of representatives shall have the sole power of impeaching all civil officers of the state for corrupt conduct in office, or for crimes and misdemeanors; but a majority of all the members elected shall be necessary to direct an impeachment.

2. All impeachments shall be tried by the senate. When the governor or lieutenant governor shall be tried, the chief justice

[illegible]

... from time to time direct, and [illegible]

[illegible] to see that the laws of the state are executed, to suggest alterations, and report them [illegible]

ARTICLE X.

Education.

1. The governor shall nominate, and by and with the advice and consent of the legislature in joint vote, shall appoint a superintendent of public instruction, who shall hold his office for [illegible] years, and whose duties shall be prescribed by law.

2. The legislature shall encourage, by all suitable means, the promotion of intellectual, scientifical and agricultural improvement. The proceeds of all lands that have been or hereafter may be granted by the United States to this state, for the support of schools, which shall hereafter be sold or disposed of, shall be and remain a perpetual fund, the interest of which, together with the rents of all such unsold lands, shall be inviolably appropriated to the support of schools throughout the state.

3. The legislature shall provide for a system of common schools, by which a school shall be kept up and supported in each school district at least three months in every year, and any school district neglecting to keep up and support such a school may be deprived of its equal proportion of the interest of the public fund.

4. As soon as the circumstances of the state will permit, the legislature shall provide for the establishment of libraries, one at least in each township; and the money which shall be paid by persons as an equivalent for exemption from military duty, and the clear proceeds of all fines assessed in the several counties for any breach of the penal laws, shall be exclusively applied to the support of said libraries.

[illegible]

[illegible] ... the successor therein shall hold ... the period which his predecessor had to serve, and ... unless again chosen or reappointed.

ARTICLE XIII.

Mode of amending and revising the constitu[tion].

1. Any amendment or amendments to this con[stitution may] be proposed in the senate or house of representativ[es; and if the] same shall be agreed to by a majority of the me[mbers elected] to each of the two houses, such proposed amendm[ent or amend]ments shall be entered on their journals, with the y[eas and nays] taken thereon, and referred to the legislature th[en next to be] chosen; and shall be published for three months p[revious to the] time of making such choice. And if in the leg[islature next] chosen as aforesaid, such proposed amendment or [amendments] shall be agreed to by two-thirds of all the memb[ers elected to] each house, then it shall be the duty of the legisl[ature to sub]mit such proposed amendment or amendments to t[he people, in] such manner and at such time as the legislature sh[all prescribe;] and if the people shall approve and ratify such a[mendment or] amendments, by a majority of the electors qualifie[d to vote for] members of the legislature, voting thereon, such a[mendment or] amendments shall become part of the constitution.

2. And if at any time two thirds of the senate [and house of] representatives shall think it necessary to revise o[r change this] entire constitution, they shall recommend to the el[ectors at the] next election for members of the legislature, to [vote for or] against a convention: and if it shall appear that [a majority of] the electors voting at such election have voted in [favor of call]ing a convention, the legislature shall at its next [session pro]vide by law for calling a convention to be holde[n within six] months after the passage of such law; and suc[h convention] shall consist of a number of members not less tha[n that of both] branches of the legislature.

SCHEDULE.

1. That no inconvenience may arise from a chan[ge ...] ... to a permanent state governm[ent ...] ... writs, actions, prosecutions, contract[s ...] ... and of bodies corporate, shall ... take place in the government ... the judicia[l ...] ... as if issued ...

[illegible]

nited States, shall be held on the first Monday in Octo-, and on the succeeding day. And the president of the ion shall issue writs to the sheriffs of the several coun-istricts, or, in case of vacancy, to the coroners, requir-to cause such election to be held on the days afore-their respective counties or districts. The election shall icted in the manner prescribed, and by the township lesignated as inspectors of elections, and the returns required, by the existing laws of the territory, or by titution: *Provided, however*, that the returns of the se-wnships in the district composed of the unorganized of Ottawa, Ionia, Kent and Clinton, shall be made to of the township of Kent in said district, and the said clerk shall perform the same duties, as, by the exist-of the territory, devolve upon the clerks of the several in similar cases.

first meeting of the legislature shall be at the city of on the first Monday in November next, with power to to any other place.

county and township officers shall continue to hold pective offices, unless removed by competent authori-the legislature shall, in conformity to the provisions of stitution, provide for the holding of elections to fill such espectively.

is constitution shall be submitted, at the election to be the first Monday in October next, and on the succeed-for ratification or rejection, to the electors qualified by stitution to vote at all elections; and if the same be ra-the said electors, the same shall become the constitu-the state of Michigan. At the election aforesaid, on the ballots as are for the said constitution, shall be writ rinted the word "yes," and on those which are against ication of said constitution, the word "no." And the of the votes on the question of ratification or rejection constitution, shall be made to the president of this con-at any time before the first Monday in November next, gest of the same communicated by him to the senate se of representatives on that day.

nd if this constitution shall be ratified by the people of n, the president of this convention shall, immediately same shall be ascertained, cause a fair copy thereof, with an authenticated copy of the act of the legislative entitled "An act to enable the people of Michigan to constitution and state government," approved January , providing for the calling of this convention, and also a so much of the last census of this territory as exhibits ber of the free inhabitants of that part thereof which is ed within the limits in said constitution defined as the ries of the proposed state of Michigan, to be forwarded resident of the United States, together with an expres-he decided opinion of this convention, that the number ee inhabitants of said proposed state now exceeds the requisite to constitute two congressional districts, and ectful request of this convention, in behalf of the people igan, that all said matters may be by him laid before the s of the United States at their next session.

case of the failure of the president of this convention rm the duties prescribed by this constitution, by reason sence, death, or from any other cause, said duties shall rmed by the secretaries of this convention.

ntil the first enumeration shall be made as directed by stitution, the county of Wayne shall be entitled to eight ntatives; the county of Monroe to four representatives; nty of Washtenaw to seven representatives; the county Clair to one representative; the county of St. Joseph to resentatives; the county of Berrien to one representa-e county of Calhoun to one representative; the county son to one representative; the county of Cass to two re atives; the county of Oakland to six representatives; the of Macomb to three representatives; the county of Le-to four representatives; the county of Kalamazoo, and rganized counties of Allegan and Barry, to two repre-es; the county of Branch to one representative; the of Hillsdale to one representative; the county of Lapeer representative; the county of Saginaw, and the unor-l counties of Genesee and Shiawasse, to one representa-e county of Michilimackinac to one representative; the of Chippewa to one representative; and the unorganized s of Ottawa, Kent, Ionia and Clinton, to one represen-

for the election of senators, the state shall be divided in-districts, and the apportionment shall be as follows. The of Wayne shall compose the first district, and elect three s; the counties of Monroe and Lenawee shall compose cond district, and elect three senators; the counties of le, Branch, St. Joseph, Cass, Berrien, Kalamazoo and n shall compose the third district, and elect three sena-e counties of Washtenaw and Jackson shall compose rth district, and elect three senators; and the counties of d, Lapeer, Saginaw, Macomb, St. Clair, Michilimacki-d Chippewa shall compose the fifth district, and elect nators.

country attached to any county for judicial purposes, if erwise represented, shall be considered as forming part county, so far as regards elections for the purpose of re-lation in the legislature.

JOHN BIDDLE, *president*.

John Norvell,
John McDonell,
Jno. R. Williams,
Alpheus White,
Amos Stevens,
Conrad Ten Eyck,
Lewis Beaufait,
Peter Van Every,
J. D. Davis,
Caleb Herrington,
Ammon Brown,
Theoph's E. Tallman,
Geo. W. Ferrington,
Asa H. Otis,
Ch. F. Irwin,
Wm. Woodbridge,
Edward D. Ellis,
James J. Godfroy,
Peter P. Ferry,
Robert McClelland,
David White,
Eliphalet Clark,
Samuel Ingersoll,
Lemuel Colbath,
J. V. D. Sutphen,
Ross Wilkins,
Selleck C. Boughton,
Allen Hutchins,
John J. Adam,
Joseph Howell, jr.
Joseph H. Patterson,
Darius Comstock,
Alexander R. Tiffany,
Gilbert Seattuck,
Abel Godard,
William Moore,
Robert Purdy,
John Brewer,
Alpheus Collins,
M. P. Stubbs,
Richard Brower,
Rufus Crossman,
Nathaniel Noble,
Russell Briggs,
Orin Howe,
Emanuel Case,
E. Mundy,
Orrin White,
Isaac Voorheis,
Randolph Manning,
Seneca Newberry,
Joshua B. Taylor,
Elijah Cook,
Ebenezer Raynale,
John Ellenwood,
Jeremiah Riggs,
Benjamin B. Morris,
William Patrick,
Jonathan Chase,
Samuel White,
Thomas Curtis,
Norman Davidson,
Samuel Axford,
Ephraim Calkin,
Jacob Tucker,
John S. Axford,
Henry Porter,
Solomon Porter,
John Clarke,
Ralph Wadhams,
Townsend E. Gidley,
Roswell B. Rexford,
Lewis T. Miller,
Isaac E. Crary,
Ezra Convis,
Lucius Lyon,
William H. Welch,
Hezekiah G. Wells,
James Newton,
James Odell,
Baldwin Jenkins,
John S. Barry,
Hubbel Loomis,
Martin G. Shellhouse,
Titus B. Willard,
Elijah Lacy,
Michael Dousman,
Bela Chapman.

ORDINANCE.

Be it ordained by the convention assembled to form a constitution for the state of Michigan, in behalf, and by authority of the people of said state, that the following propositions be submitted to the congress of the United States, which, if assented to by that body, shall be obligatory on this state:

1st. Section numbered sixteen in every surveyed township of the public lands, and where such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the state for the use of schools.

2d. The seventy-two sections of land set apart and reserved for the use and support of a university, by an act of congress approved on the twentieth day of May, eighteen hundred and twenty-six, entitled "an act concerning a seminary of learning in the territory of Michigan," together with such further quantities as may be agreed upon by congress, shall be appropriated solely to the use and support of such university, in such manner as the legislature may prescribe.

3d. Four entire sections of land, to be selected under the direction of the legislature, from any of the unappropriated lands belonging to the United States, shall be granted to the state for its use in establishing a seat of government.

4th. Seven hundred sections of the unappropriated public lands lying within this state, shall be designated, under the direction of the legislature, and granted to the state for the purpose of internal improvement. Said lands, or the proceeds of the sale thereof, shall be appropriated to aid the state in constructing one or more rail roads or canals across the peninsula, from Lake Erie or Detroit river to Lake Michigan, and also to aid in the construction of such other roads and canals, and in the improvement of such rivers, as the legislature may designate. And five per cent. of the net proceeds of the sale of all lands lying within the territory or state, which shall be sold by congress from and after the first day of January, eighteen hundred and thirty-six, after deducting all expenses incident to the same, shall be appropriated, two-fifths thereof for the purposes before described in this proposition, and three-fifths for the encouragement of learning.

5th. All salt springs within the state, and the lands reserved for the use of the same, at least one section including each spring, shall be granted to the state, to be used or disposed of as the legislature may direct.

6th. The roads commenced in this state, for the construction of which appropriations have been made by congress, shall be completed and put in repair at the expense of the U. States.

7th. The first senators and representative or representatives elected to congress from this state, are hereby authorised and empowered to make or assent to such other propositions, or to such variations of the propositions herein made, as the interests of the state may require; and any such changes or new propositions, when approved by the legislature, shall be as obligatory as if the assent of this convention were given thereto; and all stipulations entered into by the legislature in pursuance

of the authority herein conferred, shall be considered articles of compact between the United States and this state; and the legislature is hereby further authorised to declare, in behalf of the people of Michigan, if such declaration be proposed by congress, that they will never interfere with the primary disposal, under the authority of the United States, of the vacant lands within the limits of this state.

JOHN BIDDLE, *president.*

CHARLES W. WHIPPLE, MARSHAL J. BACON, } *secretaries.*

DEBATE ON EXECUTIVE PATRONAGE.

In senate of the United States—February 14.

The bill to repeal the first and second sections of the act to limit "the term of service of certain officers therein named," being under consideration—

Mr. *Kane* said he did not rise to enter into the debate, nor to discuss the particular question relative to the organization of the government, which had already been decided, and the decision of which had been acquiesced in for half a century. That question he would not discuss then, unless fairly brought up. Among his objections to the bill was, not that it proposed to take away any power from the executive, but because, with the admission of a distinct power on the face of the bill, it proposed that the executive should lay before the senate the reasons for its exercise when he chose to exercise it. It was distinctly admitted in the bill that the executive possessed a specific power, and that it required him to lay before the senate his reasons before he exercised it. What would you do, asked Mr. K. with these reasons when you get them? Would the senate do as it did when it got from the secretary of the treasury his reasons for the removal of the public deposites? The bill, he repeated, admitted that the president possessed the power of removal from office, and yet, by some undefined process, it was proposed to make him responsible to the senate for its exercise. The first section of the bill provided for the alteration of the tenure of office, as held heretofore for a limited time, and made the tenure of office dependant on the will of the executive, requiring of him to assign his reasons to the senate before he makes a removal. The third section (said Mr. K.) provides, "That in all nominations made by the president to the senate, to fill vacancies occasioned by the exercise of the president's power to remove the said officers mentioned in the second section of this act, the fact of the removal shall be stated to the senate, at the same time that the nomination is made, with a statement of the reasons for which such officer may have been removed."

Now, Mr. K. did not intend to discuss that question. With the admission of certain executive powers in the bill, it proposed to make the president responsible to the senate, and required him to give his reasons before he exercised them. Then, he asked, what would the senate do with those reasons when they got them. It was an idle provision in the bill to say, that the president should give his reasons to the senate for the exercise of a power which it was admitted he possessed. He could see much more propriety in requiring of the president to give his reasons for the exercise of his constitutional powers to the people of the United States, but he did not see any propriety in requiring him to give such reasons to the senate. For these reasons he would vote against the bill.

Mr. *Bibb* rose to state in a very few words his reasons for supporting this bill. It was well known that he was one of those who did not deny that the president possessed the power of removal from office. He had expressed the opinion that the president did possess this power, and that opinion he still retained. But while he believed that the power of removal from office was vested in the president of the United States, he still believed that the power to regulate removals rested with the congress of the United States. The constitution said that the executive power should be vested in a president of the United States; but as this much only would be vague and indefinite, it goes on to say what those powers are—to express in precise terms the powers that shall be given to the president. By this enumeration it excludes at once the idea that without such enumeration the president would, in virtue of his office, have possessed all executive powers; for, if such were the case, the constitution, as was remarked by the senator from Ohio (Mr. *Ewing*) would be very deficient in what a constitution should be; for a well-regulated government. Let it be recollected that this was not intended to be a constitution of unlimited powers, but that the powers granted by it, both legislative and executive, were express and limited; for it declared that all powers not granted by it should be withheld. The idea that the executive possessed powers in virtue of his office had led to continual assumptions of power on the one hand, while it was resisted on the other, and the fluctuations of executive power had generally ended in new encroachments. This enumeration of executive power, before alluded to, was intended by the framers of the constitution as a security against executive encroachments; and for this purpose it was defined as strictly and as precisely, as the nature of language would permit; but define and define as you may, you cannot so mark executive powers as to be the same to all minds—your definition cannot be made with that mathematical precision as to be beyond doubt or misconception, and therefore the nature of executive powers will be viewed differently by different eyes.

What were the powers granted by the constitution to the executive and to the legislative branches of the government? To the executive was given the power, by and with the advice and consent of the senate, to make treaties; to appoint ambassadors and other public ministers and consuls, judges of the supreme court, and other officers. He had also the power to appoint to vacancies happening in the recess of the senate, such appointments expiring at the end of the next session of congress. At the end of the third section, the executive was empowered to take care that the laws shall be faithfully executed; and he was further empowered to commission all the officers of the United States. He next came to consider the legislative powers of congress, and here he would call the attention of the senate to the first article of the constitution: "All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a senate and house of representatives." And, after enumerating the various powers of congress, the constitution went on to say, that it should have power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or office thereof." Here was an express grant of power to congress to make all laws necessary and proper for carrying into execution all the powers vested in the government, or in any department or office thereof.

From this clause it was very evident that the power to regulate the exercise of powers granted by the constitution, was vested in congress itself, and not left to executive discretion. Specific powers were granted to the executive and to congress, but it was provided that congress should regulate the exercise of all those powers, from time to time, and make such laws as might be necessary and proper for carrying them into execution. This was not a government of arbitrary or of kingly powers such as are established over Europe, but a government formed on a new plan, derived from the people; and this constitution was laid down as the land marks by which the agents of the people were to be guided, and by which their rights and liberties were to be preserved. The constitution provided that congress should "make all laws necessary and proper for carrying into execution all powers vested by it in the government of the United States, or in any department or office thereof. Now, did not this clause refer to the carrying into execution the power of appointment and removal from office? For surely the words department, or office thereof, applied as well to the president as to any other officer of the government. There was an executive department, and the president was the officer of that department. There were a variety of departments of the government, and each had its appropriate officer or officers. If congress could make all laws necessary and proper for carrying into execution all the powers vested in any department of the government or office thereof, it surely could make laws necessary and proper for carrying into execution the powers vested in the executive, which was a department or office of the government.

The prerogative of the kings of England did as expressly vest the executive power of that government in its king, as the constitution vested our executive powers in a president; but did any man pretend that, because the executive power of England was vested in a king that it could not be regulated by law? Was it ever pretended by any whig or tory in the worst of times, that parliament had not the power to regulate the actions of the king in the appointment of judges, and all other officers of the government? In that celebrated revolution, so much spoken of by writers, there was an act of parliament declaring that all judges should hold their offices during good behaviour, and should not be subject to removal from office at the will of the king, nor should their salaries be dependent on him. This historical fact must be remembered by every senator. But again, it would be found that the power of appointment to office had been regulated by law in Great Britain, and by referring to Blackstone it would be seen that the causes were defined for which officers might be removed from office. Now although the power of removal from office under this government was no where expressly granted in the constitution, yet it seemed that it was to be worked out by implication; while, strange as it was, it was not to be regulated by congress under the clause giving it the power to make laws for carrying into execution "the powers vested in the government of the United States or in any department or office thereof." If the power to remove from office be necessary to enable the executive to carry on the government, then the power to regulate that removal belonged to congress. It would be going against the spirit of our fathers, who framed this constitution, to take away from congress the power of regulating removals.

It had been objected by the senator from Illinois (Mr. *Kane*) that this bill, whilst it conceded to the president the power to remove from office, at the same time attempted to require that he should state the causes of such removal to the senate. Well, sir, (said Mr. B.) I admit that the bill does not profess to take away the power of removal. The committee did not think it proper to interfere further, than to provide that the president should state his reasons for the removals he might make. The gentleman had asked what the senate would do with those reasons when they got them. He would answer, that that matter was to be determined by the senate. It was not for him to inquire into what subsequent senates might do; it was sufficient for him that the single circumstance of requiring of the president to communicate to the senate his reasons for the exercise of the power of removal, would be a sufficient check against the abuse of that power. Was there no difference between suffering a man to act under a secret hidden motive, governed by

mere partiality or prejudice, and his acting for causes which he was bound to proclaim to the world? Was it not an important point to make the executive examine and consider well the charges against a public officer, that he might take good care that the charges were well founded and of sufficient weight, before he removed him from office? The committee had endeavored to avoid any interference with the executive power; but, at the same time, to put such sufficient checks and balances on it as experience recommended, to prevent its abuse. At what time, he asked, had removals from office been made, that did not produce some agitation in the public mind? He had not, however, at any time, intended to discuss this part of the question; he did not, when he gave his consent to the bill in committee, nor had he at any time since, intended to go into it as a party measure. Look, said Mr. B. at the complexion of the committee. It was composed of the three different parties which divided the senate. First, there was the party supporting the administration, who assumed to be the exclusive democrats; then there was the national republicans; and lastly, there was another party, to which he belonged, and which he was sorry to say did not meet with much favor now a-days, denominating themselves the state rights party, but who were stigmatized with the mad-dog name of nullifiers. Now, it happened, that the committee consisted of two members from each of these three parties. No one party could do any thing in the committee without drawing aid from one of the others; yet there was a concurrence of the whole of the committee in the report and bills, with but one single exception, and that was with regard to the amendment to the constitution.

He mentioned this to show that the measure before the senate was not a party movement, and that it was not introduced for the purpose of exciting that party spirit, too much of which was abroad. He solemnly declared that he had no desire, in any discussion he might engage in, to rouse any of those party feelings which prevailed outside of the senate. He was too old a man to permit such feelings to enter his breast. He knew that there must, and that there always would be, different parties in this country at times excited by high party feeling. For, as in the natural elements, the winds, waves and billows, were necessary to purify the world, so the storms of party were necessary to purify the political world. He had been much of his life in a minority, while he always believed himself to be a republican; yet he knew that republics had been overthrown by those calling themselves republicans. Even under Mr. Jefferson's and Mr. Madison's administrations, he had been deemed rebellious. He would not then vote for a particular measure, and he was denounced. Yet public opinion had since done him justice. It was only necessary that a free and candid discussion should go abroad; and those who paid the taxes, and bore the burdens of the government, would come to a just conclusion.

He would not (Mr. B. said) farther occupy the time of the senate. He was convinced, from the examination that he had given to the subject, that this bill contained necessary and proper provisions for the regulation of the executive department: that, whilst it took away none of those powers necessary for carrying on the government, it placed them under such proper regulations as experience dictated. He forbore to go into detail. He left it to every senator to form his own opinions as to the propriety of passing this bill. But, surely, if public calmness, public confidence, and public security, was at all desirable, it must be obvious that the provisions of a bill of the nature of the one before the senate, were necessary. In desiring the passage of this bill, he had only the welfare of his country at heart. He had no personal object in view. He had no ambition. For himself, he preferred to sit with his rod and line on the banks of a clear and pellucid stream, enjoying the pleasures of calmness and contemplation, to any objects that ambition could achieve.

Mr. *Shepley* said: It is not my purpose, nor do I intend to enter into an elaborate argument upon this bill; but I do intend to assign a reason or two why the bill, in my judgment, if it could be carried into effect, would be productive of much mischief, and of no good.

It proposes to repeal the law which limits the tenure of certain offices to four years, and to require the president, upon the removal of an officer, when he nominates a successor, to assign his reasons to the senate for such removal. What then is to be the practical operation of the bill? It will prevent the termination of official life by the operation of law. When an individual obtains office, he will continue to hold it until deprived of it by death, unless the president removes him. But the president is not to remove him without assigning his reasons to the senate; and there is no object in having the reasons assigned, unless those reasons are to be examined, and their sufficiency decided upon by the senate, as well as by the whole people. The president, therefore, must not only be able to assign satisfactory reasons, but he must be enabled to establish by satisfactory proof every fact upon which those reasons are founded. If he does not do this, he may be condemned in the judgment of others, however good those reasons may be in his own mind, and however well proved may be the facts in his own judgment. The practical result, then, must be, that the president cannot remove from office until misconduct or corruption shall not only be made to appear satisfactorily to him to exist, but it must be so satisfactorily proved, as to establish the fact to the satisfaction of the senate. The reasons, then, must be as satisfactory and as well established, as if an impeachment of the officer was to be brought forward by the house, and tried and decided in this body. It would readily be perceived, that, if such was to be the practical operation of the proposed bill, it virtually made the tenure of office a tenure during good behaviour, which is the same as during life, unless misconduct is proved. This bill, then, really proposes a practical change of the mode of holding office under this government, as to all the officers but the judicial officers; and gives the same security to all others as to the judicial officers, except that the judicial officers will hold their offices by virtue of the constitutional provision, while the others hold theirs by virtue of the law.

And what is to be the effect of the proposed change? In the first place, it creates a privileged class in the community. And I am not disposed to encourage the establishment of a favored and privileged class, having distinct interest and a separated feeling marked off, and divided from the people by distinguishable lines.

Reason and experience both teach us, that the result of holding offices during good behaviour, is to create an impression in the officer, that he may consult his own feelings, his own convenience, his caprice or pleasure, instead of the interests and the convenience of the people, for whose benefit only he holds, or ought to hold it. He will conduct differently in office from what he would do, if he knew that he was at all times subject to be removed, whenever it could be shown that the people could be better served by another.

The officer who holds during good behaviour, soon acquires a disposition to regard the office as his own property or estate, rather than as a trust merely, which he administers, not for his own benefit, but for the benefit of the whole people. And he is not influenced by that direct sense of duty which ought to and would control him, if he was more sensible of a direct accountability to public opinion. The tendency is to hold out temptations to him to abuse his trust, because he can do it with less danger of being deprived of it.

If offices are held during good behaviour, or life, the government is disabled from doing justice to the people; they have a right to require of the government the appointment of such men to office as can best perform the duties; and it may happen, and frequently does, and will happen, that individuals are selected for office who prove to be deficient in those qualifications of mind, or habits of life, which are necessary to enable them to discharge the duties to the best advantage, and most usefully; and yet they may endeavor to do well. And are the people to suffer all the evils of their remaining in office for life, while they may be useful to themselves or others in a different situation, and when others may be enabled to discharge the duties intrusted to them, much more to the interest and satisfaction of the people?

Is it just to the people to continue a man in office for life, if he has done well, who may have been so fortunate as to accumulate a large estate, while there may be found many equally capable of performing the duties, who, by disease or other misfortunes, may have been reduced to want, or may be disqualified for more active and laborious business?

It may be desirable to have the power to bestow office upon those well qualified, who, in the service of the country in time of war, may have been disabled for the more active duties of life by the loss of a limb, or by the effects of disease, instead of burthening the people with their support by a pension. And must the government be deprived of this power, for the purpose, it may be, of assisting the luxurious officeholder to obtain still other indulgences?

The effect will be to perpetuate abuses. A man long in office, if he becomes skilful in the performance of its duties, becomes also skilful in all the means by which he may use it for oppression; for the accumulation of unjust gains; and skilful in the thousand devices by which he may tax the government and people both, and obtain emoluments which were never designed for him.

He becomes wise also, in covering up, and in keeping secret, abuses which exist; and which can never be discovered and proved even when believed to exist, until he is removed, and all his papers and proceedings are subjected to the examination of others. It has been often found that it is only by removals that the truth, with regard to the conduct of officers, is disclosed. And for this reason it is, that many of the states have limited a period of time beyond which no person should hold the office of treasurer. They have judged it to be wise to deprive those of office, who are intrusted with their money, at certain short periods of time, and to require a surrender of all their papers, and an examination of all their conduct; and they do this because they judge it to be the only certain and effectual method of having the trust faithfully and safely discharged. Why should a rule, deemed just and wise by so many states, be disregarded by us?

Experience has taught the states, as well as the union, that it is a wise and just rule. Many instances of defalcation and corruption among those, who were supposed to be good officers while in office, have been discovered, on their retiring by virtue of a law, or on their removal; and their names could be given, but I forbear to do it, as it is not necessary to the argument.

There is now a double responsibility upon public officers. They are responsible to the president as the executive; and they are now also responsible to the people. They must so discharge their duties as to satisfy those, whose duty it is to

overlook them and to see that their duties are faithfully and punctually performed; and they must also so discharge them as to promote the interest and convenience of the people for whose benefit they hold the trust. And a failure to satisfy both, will justly, in my judgment, call for a change. How frequently does the knowledge that an officer does not discharge his duties in a proper manner come to the appointing power only through his responsibility to public opinion! But it cannot be expected that public opinion will be the means of checking the abuses of office, when that public opinion can have no operative influence upon the officer. Proof is required; general dissatisfaction and complaint can effect nothing. Who will put himself in the power of an officer, clothed with perpetual authority, by becoming his accuser, when he must know, that, if he fails in making certain proof, he is to be subjected to an interminable difficulty? No one, sir. It will never be done. The officer will feel that he can hold office in defiance of public opinion; and the people will feel it too; and will no longer regard the officer as one of themselves, performing services for their benefit, but they will look upon him as one estranged from their interests and foreign from their feelings, and there will no longer exist that confidence and harmony between public officers and the people, which ought to exist, and must exist for the benefit of the people. The people now can make themselves heard and respected, and by the force of public opinion can have their servants displaced. But if the president is required to give satisfactory reasons for a removal, he must first have the proof of misconduct, and if proof is attempted as long as parties exist, the testimony will be contradictory, and there will be room for a dispute upon the facts, and the people will never be enabled to procure a removal until a case is made so clear as to authorise and justify an impeachment. The voice of the people is lost; they can no longer be heard, or, if heard, respected. I would never take away this two-fold responsibility; never destroy this responsibility to the people.

A man may prove to be a bad public officer from constitutional traits of character. He may be slow in the discharge of duty, where expedition is required. He may have an irritable temper, where great patience is desirable or necessary. These, and a great variety of other causes, may prevent his discharging official duties as they ought to be discharged; and yet he may not be chargeable with any intentional misconduct; and must the people suffer under these inconveniences without any effectual remedy? The injury or inconvenience to the individual by removal, is not at all to be compared to the public injury by his continuance, in such cases.

But, sir, I go further, and I will say plainly, that I hold to "rotation in office." It would not necessarily require any positive fault in an officer, in order to remove him from office. If the constitution had been so made as to entitle the officer to retain office during good behaviour, I would myself, if no other person did, move an amendment to it to change the tenure of office. I can never agree to the principle, that offices are to be held for life. I protest against it from first to last. It operates against the people; its tendency is to produce mischief, not good to them; good to none but to that privileged class which it establishes.

He who performs his duties well, has established no special claim to future favor. He has received his full pay in the manner in which he expected to receive it, when he accepted the office; whether it be a pecuniary or an honorary reward. Others are equally entitled with himself, at all times, and he has no just cause of complaint, if he is required to share either honors or emoluments with others.

It is just, and proper, and useful, without regard to party, or party favors, to change public officers. It is in accordance with our system of government, which holds out equal rights and equal privileges to all. And when officers hold under this government during good behaviour, then one of its great features, of holding out equal privileges to all, will have been destroyed. I yield to the violation of the principle in the case of judicial officers, only from the necessity of the case. The judicial power constitutes one of the distinct branches of the government. It is called upon to decide whether the legislative branch has exceeded its constitutional power in the enactment of the laws. It is required to give a legal construction to the meaning of those laws. It is supposed these decisions may be disagreeable or offensive to the legislature. It must, in like manner, sit in judgment upon the manner in which the officers of the executive branch execute the laws, and may offend there, also, if its duty is faithfully discharged. The number of persons composing the judicial power is small, its patronage is small, if it has any. In theory it is supposed to be comparatively more feeble than the other branches; and that it needs to be strengthened by giving it security in the tenure of office, for the purpose of preserving its integrity and independence. Whether experience fully justifies the soundness of the reasons or not, which decided that the tenure of office in the judicial branch should be during good behaviour, I think it may be said with safety, that it does not warrant the extension of the like tenure to any other officer of the government.

I forbear to enter upon the argument, at this time, of the constitutional question presented in the bill, requiring the president to give his reasons, for a removal of an officer, to this body. The subject is too broad for discussion at this time, when so few days remain for the business of the session. I will only say that, in my opinion, the power of removal right fully belongs to the president, under the constitution, independent of the uniform practice ever since the existence of the government. The uniform practice of the government, and the acquiescence of the people under that practice, without complaint, since its first formation, have settled it, if a question can be so settled. In my judgment, therefore, the proposed measure is unconstitutional. It requires one independent branch of the government to give reasons for its conduct to another independent branch. And if one branch must give the reasons of its acts to another branch, it follows, of course, that those reasons are to be examined and a judgment is to be formed and pronounced upon them. And the result is to be, that one branch of the government is to be trying and judging another branch as independent as itself; and the spectacle is to be presented, of the separate branches of the government occupying their time in hearing testimony and judging of each others' acts, instead of attending to the duties intrusted to them under the constitution. I find no provision in the constitution authorising such a course; and, until it can be shown, I must hold it to be alike inexpedient and unconstitutional. The accountability of the three separate and independent branches of the government, is not to each other, except in cases such as impeachment, provided for in the constitution, but to the people.

This bill proposes a measure, then, which, in my judgment, is a violation of good sense, sound reason, and the provisions of the constitution.

Mr. *White*, of Tennessee, rose and addressed the senate to the following effect:

Mr. *President:* It was my fortune to be placed on the committee of nine, in the year 1826, whose proceedings have been spoken of in this debate. I am one of that committee, who concurred in reporting the bill, said to be similar to the one now under consideration; I am now as ready to carry out the opinions then entertained as I was at that time, unless it can be shown congress has no power to make the enactments, or that they would be injurious to society.

The number of officers employed in handling public money, was necessarily very much increased during the war which terminated in 1814, 1815. Although the president had the power to remove all the officers mentioned in the bill, yet it was believed in the year 1820 it had not been exercised as frequently as the public interest required. Officers who had collected money which they ought to have paid into the treasury, and officers who drew money out of the treasury, which it was their duty to disburse, according to the requirements of acts of congress, had in many instances failed in the performance of their duty, losses had been sustained and it was feared more would be sustained, unless additional provisions were made; these circumstances gave rise to the act of 1820.

By this statute, at the end of every four years, each of these officers are to be out of office, as a matter of course, without the exercise of any executive power whatever; and during the four years, the president, if he pleases to do so, has the power of removing all, or any of them from office.

In carrying into effect the provisions of this act, it was expected, when the term of an officer expired, the president would inform himself, through the proper department, whether the officer had discharged his duty with facility, and if he was informed he had, that he would then renominate him for the same office for another term.

I believe that the benefits expected from this law have been realized by the practice under it. Ever since I have had the honor of a seat on this floor I affirm, that, both under the past, and the present administration, I have witnessed the strictest scrutiny into the conduct of these officers, whenever renominated, and I do not remember a single case, in which there was a disposition manifested to continue any one of them who had been faithless in his trust.

But in 1826 the committee believed, although much good had resulted from this law; yet, in the struggles for *place* and for *power*, between parties, very great evils, which had not been foreseen, would in all probability be experienced.

The whole of these officers, amounting to a vast number, all going out at the end of each four years, and being entirely dependent on the *will* of the president, whether their commissions should be renewed or not, would induce many of them to look more to their *own* situation and interest, than to the welfare of the *country*, and with a view to secure themselves, they would be most likely to conform their opinions to the wishes of the president, whoever he might happen to be. If he was a candidate for re-election himself they would most likely vote for him, or if one of his friends was a candidate they would vote for him, although they might conscientiously believe the best interests of the country would be promoted by the election of his opponent. It is no answer to this argument to say, it casts reproach upon those officers to suppose they would surrender their opinions to those in power. Mr. President, is it a reproach to say they are men? Is it a stigma upon their character, to say, that while they live in this world, that while they have families to provide for, they must have the means of living? We all know, we are too apt to conclude, that our neighbors will be pretty well provided for, when we *are well provided for ourselves*. Experience convinces us that when a man who is dependent on his own exertions for a living, obtains one of these offices, he and his family manage well if they keep their expenditures within the salary. They become dependent upon the quarter's salary for food and clothing. If deprived of the office the man knows not to what to turn his hand to earn a dollar to subsist upon—to be deprived of the office is to be deprived of the only

means of obtaining a living by honest means. Under such circumstances it is most likely the officer will not give his judgment fair play, he will conform his opinions to the opinions of the man who has his all in his power, or if he has manliness enough to form an impartial opinion of the merits of the respective candidates, he will too seldom have the fortitude to express it, either in conversation, or by his vote. The probability is, that he will soon lose all that manly independence so essential to the preservation of a free government.

But, Mr. President, this evil does not stop with the head of the family—it stops not with his wife and his children; it is communicated to his family connexions. They know the situation of the officer, he and they talk it over in their family circle, they sympathise with him, and all know the feelings of the executive will be the *more kind* towards him, in proportion to his influence among his friends, and the result will be, that in most cases they will all settle down in the conviction that it is most wise to think and vote as the president wishes.

Very little reflection, I think, must satisfy us of the alarming extent of this influence in our elections. All district attornies, all custom house officers, all paymasters, all receivers of public moneys at your land offices, and all surveyors of your public lands, with their clerks and all their family connexions placed in a situation to do as the president of the United States may wish; add to this the further consideration that these men from their official stations each has vastly more influence among his acquaintances, than he would have if he were a private man. Society, from the very situation of the officer, will suppose him a better judge of the fitness of a man for the presidential chair, than he would be if he were a private man; besides this, many will know that the officer will have it in his power to do them good turns in his office, if they can secure his good opinion.

Now let us suppose a president in office, possessed of a mass of influence thus collected, wishing to be elected a second term, when it was the interest of society to leave him out, and put some other person in; or let us suppose a president in for the last time, and to wish to designate some individual as his successor, who would not be the choice of a majority if left free to act according to their unbiased judgment, what then would most probably happen? We might sometimes find that the president would not in such a case be contented with all these people simply *thinking* with him, and voting with him; they must do more, on pain of *not* being renominated—they must each man do his best to influence as many to think, to speak and to act with them, as they can procure.

Where could you find a man able to make a stand in opposition to it? No where! And you would seldom find one willing to make the experiment.

Every one must believe he could have no chance for success against such fearful odds. These officers and their friends would act in concert, from one end of the union to the other. They will have it in their power to pour out at once, through the whole body politic, a flood that would sweep from the purest man that lives, every particle of reputation he had acquired by a long life of virtue and usefulness.

In 1826, as one member of the committee, I came to the conclusion, it was dangerous to leave such a power in the hands of the executive, and through our chairman expressed that opinion to the world. I entertain the same opinion now, am prepared to reaffirm, and to act upon it.

Then I was in opposition to the administration—now I am a friend to the administration. This can make no change in my course. When we have a pure and virtuous man for a chief magistrate, he will thank congress to take from him every discretionary power, which they can take with propriety. It will ease him of labor, and a responsibility, most unpleasant to a good man, and he will still have as many discretionary powers as he will know how to exercise for the public good. If ever it should be our misfortune to have one of an opposite character, disposed to use all his powers for the benefit of himself and his friends, and for the purpose of perpetuating power in his, or their hands, then society at large, ought to thank us for stripping the executive of this influence.

My opinions upon this subject are not founded upon the petty consideration of who is in power, whether a political *friend*, or a political *opponent;* they rest upon the eternal principles of what I think is right and wrong, between those who are *in*, and those who are *out* of power. They are founded upon principles deep as the foundations of the government itself. Upon principles which, if disregarded, will *poison* the very fountain from which all the blessings of our free and happy government flow. The elective franchise, *corrupt* that, place our citizens in such a situation that they will not *freely form* opinions for themselves and *fearlessly act* upon them, and we will have little left worth preserving.

When called on to act my part, it is matter not to be considered by me, whether my friends are in or out. In 1826, when called on for an opinion, my friends and myself were at the *bottom* of the political wheel, I then entertained and expressed an opinion. Now *it has turned*, my friends and myself are on its top, our opponents are all at the bottom; where we may be with the next whirl no man can tell. As wise men, what ought we to do? We ought to act justly to all men, honestly carry out our own old opinions. Secure the people as far as we can in the free, uninfluenced exercise of their own opinions at elections.

My principles are to *limit* power if we can, so as to make every man as secure in voting for whom he pleases, as he is in matters of religion, in worshipping his Maker according to the dictates of his conscience.

When power is so limited that no man can use it, as to injure his opponents, *then*, and then *only*, do I consider myself safe.

Some speak of this body as a permanent one, the situation in which we now find ourselves is another proof of the mutability of all temporal concerns. In 1826, I had the honor of being a member of the committee of nine, a majority of whom, at least, must have entertained opinions similar to my own, upon this subject. Where are they now? Two only on this floor, in a situation to be heard in this debate. You, Mr. President, 'tis true are present, and I am sorry in a situation; no I am not sorry you are in the honorable station you now occupy, but I am truly sorry we are now deprived of the aid of your distinguished talents in this debate, if you entertain the same opinions I do.

We are not acting for ourselves alone, we are not acting for the people of our own time *only*. We are acting for the people at *large* of our own time, and for the people in all time to *come*, let us then so act as will transmit, uncontaminated by official influence, to our posterity, the free institutions, for which our ancestors struggled, and which we received from them as an invaluable inheritance.

The bill still will leave in the hands of the president, power enough over all the officers. He will still have the power of dismissing any one of them, at any *moment he pleases*. This is of itself a tremendous power, given him in *trust*, to be used for the public *good*, and for that *only*. Never for mere difference of opinion, honestly entertained, decently expressed, and acted on with moderation.

The question recurs, how can congress secure the citizen in office, against an arbitrary exercise of this power, in cases where the public good does not require it? The committee have attempted in the third section, by providing that whenever a nomination is made to the senate to fill a vacancy made by a *removal*, the president shall state the reason for such removal.

Thus it has been contended, congress has no power to do, because, say the opponents of this bill, all executive power is vested in the president by the constitution, and a removal from office is an exercise of executive power.

The arguments upon this point are far from satisfactory to my mind, and I must crave the indulgence of the senate while I present as briefly as possible my own views upon it.

It is true the constitution vests in the president the *executive power*, but immediately we ask ourselves, *what executive power*, in what is it to consist, and where shall we ascertain its amount and a specification of it?

Is any gentleman, either here or elsewhere prepared to state it as his opinion, that under our form of government, executive power is unlimited and undefined? I hold no such doctrine, and it would appear to me a most wild and mischievous opinion.

The executive power in our government in the president, is that vested in him by *express grants* in the constitution, or vested in him by *acts of congress* passed in pursuance of the constitution and no more.

By the constitution all legislative power *therein* (*herein*) granted, is vested in congress. By the same instrument, the executive power is vested in a president.

In this latter clause, the words "herein granted," used in the former are dropped.

The reason for dropping them, is, to my mind very obvious. If they had been used as to the president he would not have any but a small portion of the powers necessary to be vested in him, to carry on the affairs of government.

The framers of that instrument, foresaw that he must have many more powers than they could specify in the constitution, and therefore they say the executive power shall be vested in a president, intending that he should have and exercise all the powers they themselves afterwards might vest him with, and also all others which congress might from time to time vest in him by *laws* passed in pursuance of the constitution. And afterwards they sum up his duties, saying that he shall see that the laws are faithfully executed.

Under these several claims the executive powers are easily ascertained. We first look into the constitution, and there see what powers are expressly given to him. Next we look to the acts of congress, and there find what powers congress has vested him with, and thus we ascertain his whole powers, and then we see, that his duties are to see that all these powers are faithfully executed. It is as much his duty to see that a power vested in him by constitutional *law* is faithfully executed, as it is to see that a power vested in him by the constitution itself is faithfully executed.

Whatever powers are vested by the constitution, congress has no power to change, whatever powers they vest by statute they may *change* and *modify* at pleasure.

Any other notion of executive powers vested in the president, it seems to me cannot be maintained under our form of government.

By the constitution two classes of officers are evidently intended. In relation to *one* of these, congress is *bound* to create them, and when created, the tenure of their office is fixed by the constitution, and can never be changed by act of congress.

As it relates to the other class, congress may create the officer, or not, as they please. In creating it, they may fix the *tenure* as they please, for life, for years, or at will; they prescribe what duties they please, and fix their compensation to

suit their own pleasure, and they may point out the *mode* in which the officer is to be *removed* or displaced.

Every officer specified in the bill now under consideration, falls within this latter class.

They are, what is called in the constitution, "inferior officers," the appointment of whom congress may vest in the *president alone*, in the "courts of justice, or in the heads of the departments."

Congress then, has complete power over all these officers—they may create and abolish the office at pleasure, fix and modify the *tenure* as they choose, and regulate at pleasure the mode of getting clear of the officer. They may either have them appointed as they now are, by the president, with the advice of the senate, or by the president alone, or by the courts of justice, or the heads of the department.

Suppose the bill had provided that district attornies should be appointed by the courts to hold their offices during the pleasure of the court, but when the courts removed one and appointed another, they should put down the reason for removal, would any gentleman say such provision was unconstitutional? I fancy not.

Suppose all the other officers to be appointed by the secretary of the treasury, and him vested with a power of removal, but a provision inserted that when he appointed a successor he should state why he had removed the incumbent. Would such a provision be unconstitutional? I think not.

If such provisions would not in those cases be unconstitutional, why will the like provisions be unconstitutional when the president is to appoint with the advice and consent of the senate. In each case it is legislative enactment, or a subject where congress has express power to act as it pleases, without any limitation, the law therefore being constitutional, the president would be bound to see it faithfully executed.

To me it appears so plain that congress has the power to do what this bill proposes, that I feel some surprise there should be any variety of opinion among us upon this question.

Ours is emphatically a government of laws. We are a free people because it is so. Whenever the will of the people is expressed either in the constitution or in a law passed in pursuance thereof, it must be complied with, because according to the theory of our government the people are sovereign.

No person doubts, or can doubt, the power of the president to remove in these cases: but the manner in which he exercises this power is a different question. Gentlemen who argue against this section say, he has it from the constitution, because it is an executive power. I deny this, and say it is an executive power, because it is made so by *statute*, and he performs a constitutional duty when he removes, because he is as much bound to perform *executive duties pointed out by statute*, as he is to perform those specified in the constitution. It is an executive power because it was the will of the people, through congress, as their agent, to make it so, and the same power through the same agent could have made it a *judicial* duty, if it had been deemed wise so to provide.

When our reason has fair play it appears to me there can be no difficulty on this point. In 1789 as we have seen, congress, by the casting vote of the vice president, thought this power of removal an executive power under the constitution. From that time to this all officers of this class have held their offices *during the pleasure of the president*, so expressed in the commission itself. Subsequent statutes and especially those of 1820, speaking of these very officers being *removed* and holding during pleasure, indicate *removals* by the president and at *his sole* pleasure. If then the enactments of congress *authorise the removal*, who can doubt of the power of the president to remove?

But suppose by this very bill, congress should say these officers should hold their offices during *good behaviour*, what then becomes of this *constitutional executive power*? It is converted into a *judicial* power, and you have no way to *remove* the incumbent but by impeachment; or by an exertion of legislative power in *abolishing the office*.

If we suppose this power of removal conferred by statute, and not by the constitution, our whole course is consistent in our executive business. We have repeatedly *refused* to call upon the executive for his reasons, and why? Because the *statutes* had vested the power of removal at his pleasure *merely*, and one branch of congress alone had no power to require that which both branches had not seen fit to require.

Mr. President, these are the principles upon which I was prepared to act in 1826. They are those upon which I wished to bring into power the present chief magistrate. I speak only for myself, but I believed they were the principles of the party with which I acted, and that we were to give effect to these principles, so far as we might have the power. For one, I have seen no sufficient reason to change them, and am prepared to act them out. It is in vain to tell me this is a party question. It is a question of fundamental principles, and I am on that side of it, in which I have been educated, on which I have heretofore acted, as well as my humble abilities have enabled me; it is one I cannot abandon for any earthly consideration, because in its maintenance I believe the prosperity, happiness and security of the present and succeeding generations have a deep and abiding interest.

It is asked by the opponents of this bill, what benefits its friends expect from a statement of the reasons of the removal, when the nomination of a successor is presented to the senate.

I answer for myself, I wish to cut up by the roots the demoralizing tendencies of office hunting. I wish to make such provisions by law as will shield the chief magistrate from importuns being practiced upon him, to induce him to *remove* men from office; I wish to shield him from being imposed upon as to the character of those who *apply* for office.

As the law now stands, whenever a man may cast a fancy for an office filled by his neighbor, all he has to do is, to *poison* the mind of the executive against the incumbent, and to make a favorite impression as to the fitness of him who desires to be the successor. These objects can be accomplished by making characters upon paper secretly. Before the officer is aware of it his reputation is blasted by secret and confidential communications made by some of those he had esteemed his friends; they are lodged with the executive, where it is expected they will remain *secret*, and upon the strength of these representations the officer is removed. When this is accomplished the scuffle commences for a successor, and paper characters are procured for perhaps half a dozen applicants, and very frequently the individual having in point of fact the worst character of any of the group is so dressed up, and supported by certificates, as to convince the executive the public interest will be promoted by selecting him as the successor, and he is nominated to the senate. The business will not end here; all the disappointed applicants then go to work with senators to defeat the confirmation of the nomination, each hoping when that is done, he stands next best with the executive, and will procure the office.

Under the present state of things, society will become demoralized, men will be constantly *coveting* that possessed by their neighbors, and for the sake of procuring what they covet, they will bear themselves, and procure others also to bear false witness.

Under the laws as they now stand, the business of office hunting will become a science. Men will be selected and furnished with funds to defray the expense of coming to Washington for the purpose of having one set turned out and another set put in, by means of artful tales, secretly gotten up and reduced to writing, which it is supposed will never see the light. This officer and representative of *office hunters* will come on with one pocket full of *bad* characters, with which to turn out incumbents, and with the other filled with *good* characters, with which to provide for *his constituents*.

Pass the bill and a wholesome check will be given to this whole system, require the *reasons for removal* to be *stated*, and no man will dare to make a statement which he does not believe to be true, because *exposure* and *disgrace* will certainly be the consequence. You will take out of the hand of the cowardly assassin the poisoned dagger heretofore used in the dark. You will shield the executive against mistakes founded on false representations. No executive can be personally acquainted with the characters of all men in office, nor with the characters of those who desire office; he must act upon the information derived from others: he ought, and I feel persuaded the present chief magistrate will, thank congress for any plan by which he may be the better enabled to discharge his official duties to the welfare of society.

Another advantage to be derived from this bill is that it will check the thirst for office, and will restore harmony to society.

When a man is removed for want of capacity, for want of integrity, on account of intemperance, or the lack of business habits, why not put down the reason. Who is harmed by it? Nobody. Now, a man's reputation is stabbed in the dark, by whom, or in what manner, he is unable to find out.

Pass this bill, and if a man is injured he will know by whom, and in what manner, and can wipe out the stain, not by a controversy with the president, but a controversy with the man whose falsehood misled the president.

Again, we will secure in all time to come honest officers in the enjoyment of honest political opinions. No president will ever remove an officer *simply* because he will *not* think and act with him in *politics*, when he knows this reason is to be of record, and remain through all time.

For myself, now, above all others, is the time when I wish to see this security furnished to honest men in office. I wish the credit of it for this administration. His anxious wish has been to restore to the states and to individuals, what, in his judgment, they have been improperly deprived of by federal power, and I wish to see, in *his day*, a surrender of all means an unprincipled chief magistrate might use to influence the political opinions of men. I know him too well not to believe it would meet his hearty approbation, and in time to come when the historian shall record the beneficial acts of our illustrious men, I feel persuaded this act would not escape his attention.

Sir, the honorable senator from S. Carolina, in some of his remarks, has not done justice, as I think to the chief magistrate. He says he came into power on the principles of reform and retrenchment, and that he was bound to carry them out, instead of which the expenditures of the government are doubled.

Sir, he was not bound to do more than man could perform. One cause of an increase of expenditure in the Indian department has been fairly stated by the senator from Missouri. It furnishes matter for praise, none for censure. How is it as to others? He has been against a tariff for protection merely—he has been opposed to the system of internal improvement—he has been against the bank. In short, he has been against the exercise of those constructive and doubtful powers which create so much discord among ourselves and such heavy drains upon your treasury. He has enforced his opinions with an ability and zeal seldom equalled or surpassed. Why then is

it asked, has he not succeeded, according to his wishes? Because alone he could not accomplish his wishes. I fearlessly appeal to every man who hears me, that from the time he first came into power, to this moment, he never had at any one time a majority in both houses, frequently a majority in either. Members come into congress under one set of colors and when here, fight under another. At elections, they get votes under the Jackson colors; when here, they are free and independent, and act upon such principles as they approve. Every man brings with him his vial of *Xalessas vegetable acid*, and all he has to do is to touch his collar, as it is called, with a few drops, and off it falls. When he is called to the Jackson ranks, he is called in vain. Sound the Jackson whistle in congress, and the Jackson men do not spring, as it were out of the ground, to their post, like those of Rhoderic Dhu. They won't come; no note can be sounded so loud as to make them hear and attend. Instead of this, in defiance of his known wishes, they vote appropriation upon appropriation for roads and canals, and not being able to vote enough to intimidate him, in the course of six days of the week, they spend Saturday night, and until after sun rise on Sunday morning, apparently to create an influence, they think he dare not resist. Firm as a rock he stood upon his principles, he used his only power, the veto again and again. What then? He is charged with being a tyrant, a despot, for no other offence but using his only power to check these very expenditures now complained of.

I appeal to those in congress, from 1829 'till now, whether, among the most able advocates for internal improvements there were not some professing to be, and I have no doubt sincerely, decided friends of his administration.

Why then should he be censured for an increase of expenditures, which he has most anxiously endeavored to prevent, and which to a very great extent he has actually prevented, under circumstances where no other man could have dared to set up his individual opinion against the expressed will of the majority in the senate and house of representatives.

Sir, his friends in congress have been of all shades, colors and names, Jackson, tariff and anti-tariff, internal improvement and anti-internal improvement, bank and anti-bank; and although he had at the election grounds a party large enough, in his name, to bear down all before them; yet, here he never had a party large enough to do any thing.

I remember once when one of the great questions was debating, I was walking behind the colonade where you now set, and a brother senator of different politics joined me, he asked me how I thought the question under discussion would be decided; I told him I did not know. Why, says he don't you know how your party will vote; I answered that I did not—when I tried to count them, I was always reminded of an anecdote I had heard of a black man, who had been sent by his master, on a cold morning to find the pigs—when he returned, his master addressed, "Peter, were all the pigs up to be fed?" "Don't know, massa," says Peter. "Why, did'nt you count them?" says the master; says Peter, "I did count them all, massa, but one little spotted fellow, and he kept such a runnin about I could'nt count him."

Mr. President, I hope to hear no more such complaints. Gentlemen on this floor are not aware of the credit to which the chief magistrate is entitled for the stand he took against *friends and opponents*, in the maintenance of the great principles upon which he was brought into power. For myself I endeavor to act upon those for which I have ever contended. I hope on this question still to be, when the vote is taken, with my political friends, but whether I am with them or not I shall be with my political principles. With principles which I think of so much importance to the country that I hope never to live to see the day when I can record my vote against them, simply because the chief magistrate may happen to be the man of my choice.

In senate, Feb. 16, 1835.

Mr. *Wright* said, he had hoped that some one of the individuals who had been so emphatically called upon by the honorable senator from Kentucky, (Mr. *Clay*) on a former day, as the leaders of the administration party, would have come forward in the debate then pending, and thus have saved him the trouble of addressing the senate. But, as no such individual appeared, and as the bill was about to be reported, he felt bound to give his humble voice against it, before it proceeded further.

He could not, he said, pursue the course which an answer to the argument of the learned senator, who had just resumed his seat, (Mr. *Webster*) would require, nor could he comply with the call and intimation of the senator from Kentucky, to which he had alluded.

His object was to repel an implication which might attend the passage of this bill, and for that purpose, to refer to such portions of the report of the committee as appeared to him to relate to the provisions of the bill itself, and the considerations involved in the legislation proposed. He did not intend to notice, upon this occasion, any other parts of the report than those which treated of the patronage of the executive, growing out of his connection with, and influence over, persons dependent upon, and receiving their support from the government. The bill under consideration was all the legislation proposed by the committee, in reference to this part of the executive patronage, and he must suppose that so much of the report as discussed this point, was the legitimate subject of comment in connection with the bill.

Mr. W. said, he did not understand the rule of order to be that laid down by the senator from New Jersey, (Mr. *Southard*) when he addressed the senate on Friday last. He had understood that honorable gentleman, then, to state that the report of the committee was not before the senate, and proper matter for remark, while proceeding upon this bill. He held a different rule. The bill was reported by a select committee of the senate. It was one of the results to which that committee had arrived, after great labor and deliberation, and they had spread before the senate a mass of facts, and a long train of reasoning, as the grounds upon which the bill was recommended to the acceptance of the body. Could it then be true that these facts and this reasoning, constituting the report of the committee, were not proper subjects for remark when acting upon the bill? He was sure the honorable senator, upon more mature reflection, would change his opinion, and hold the report fully before the senate. He believed that any and every part of the report might be properly discussed upon either of the propositions with which the committee had concluded, but he did not choose, himself, to notice more of it now than was pertinent to the matter before him.

Mr. W. said, he must be permitted to remark, before he proceeded, that he had been wholly unable to feel, or discover the necessity for the sombre and alarming picture of danger to our happy form of government which the committee had thought it their duty to present. He could not feel that the safety or perpetuity of our institutions was peculiarly threatened at the present more than at any former period of our history. On the contrary, he had supposed he could justly felicitate the senate and the country upon the fact, which he had expected would have been admitted by all, that our condition was rapidly improving. No man in these seats had forgotten the picture drawn to our imaginations twelve months since—a picture which not only shocked us, but shocked this whole widely extended country to a degree never before witnessed in the period of his recollection. Then, however, *executive patronage* was not the danger, but *executive usurpation*. The sword and the purse of the nation were in one hand, and our liberties were about to be cloven down. The fractured and broken pillars of the constitution were scattered before us, to display the ruin which had been made, and to warn us of the danger which impended.

That time and that danger had gone by. A distinct issue was formed and submitted to the sober and intelligent sense of the American people, and their decision had put an end to the agitation. Executive patronage was then a consideration too trifling to have a place in the leading discussions. Some mention of an army of forty thousand officeholders might have been made, but they were incidental and unimportant. Usurpation was the order of the day, and tyranny and despotism were upon us. Mr. W. said he supposed he might congratulate every patriot and lover of his country that this great danger had been passed, and its horrible evils averted, by the single and silent operation of an election; and he had hoped that increased confidence in the safety and durability of our institutions would have followed this gratifying experience. How different was the fact! He now found in the report of the committee before him, abundant evidence—if the sad imaginings of the committee were facts—that we were much nearer final ruin than at the period to which he had alluded. Now *usurpations* by the executive had ceased to be dangerous, but the great *patronage* in the hands of the president was fast driving this fine ship of state upon the rocks, and imminently threatening the only free government in the world with utter and irretrievable ruin.

Under this renewed attempt to excite alarm and apprehension in the minds of the peaceful citizens of the country, he felt it to be his imperative duty to proclaim an entire absence of the threatened dangers. The country was sound, and healthful, and prosperous, and happy, and the patronage of the executive was not to corrupt its morals, endanger its peace, or destroy its liberties. The mistake of the committee had proceeded from the assumption of premises wholly erroneous, and the consequent deduction of unfounded conclusions.

Mr. W. said he would proceed to show this by a partial analysis of their principal fact, and by an exposition of the fallacious conclusions drawn from it. They state that the number of persons dependent upon the government for support, is one hundred thousand and seventy-nine, and they assume that all such persons are "supple instruments of power." This great number of persons thus exhibited, and thus characterized, was calculated to startle the mind. It had shocked him when he first heard the report read at the secretary's table. He had heard much said, during the last year, both at home and here, by the opponents of the administration, of the danger to the country from an army of *forty thousand* officeholders, but his fears had not been excited, and he had never attempted to examine the composition of the corps. When, however, he found the number swelled by the report of the committee to more than *one hundred thousand*, he felt impelled to inquire who were these hundred thousand men paid by this free government that they might wield public opinion to its destruction. He had made the inquiry, and to exhibit the results to the senate and the country, and thus to repel the alarming implication of danger to our institutions which might otherwise arise from our action upon this bill, was the principal object he had in view upon the present occasion.

First, then, he found the whole army, officers, soldiers, waiters, and dependants, included in the list. And are the

soldiers of our little army, said Mr. W. to be held up to the country as a body of men wielding its public opinion and directing it to the destruction of our institutions? Are they to be pointed at as objects of jealousy and apprehension? Where are they, Mr. President? Almost the whole body of them pushed beyond the line of settlement upon your frontier and there stationed, the companions of the wild Indian only, to defend your citizens from the tomahawk and scalping knife. Are they, thus located, the body of men who are to bring this happy government to a speedy termination? No, sir, they will defend it with their lives, but never will endanger it by their influence over public opinion. The officers of the army are also embraced in this class. They, sir, are officeholders, but are they formidable to the country? Are those brave men who bore the arms of the country, during the late war, against the most formidable enemy in the world, and bore them successfully, triumphantly, victoriously, are they to destroy this government? Are they to be guarded against as "supple instruments of power," as "subservient partisans, ready for every service, however base and corrupt?" Mr. President, said Mr. W. they merit not the sentence. Where are they? Shut up in your fortifications and military posts, performing their dull and uninteresting round of official duty, or ordered beyond your frontier and deprived of the benefits of civilized society, to protect their fellow citizens from rapine and plunder. Thus situated, are they to be held up to us as objects of alarm? Are our jealousies to be directed against them, as the persons likely to work out the ruin of their country? Sir, the committee have made an egregious mistake as to these brave and patriotic officers. They will not destroy but defend the republic. Who has seen them mingling improperly in the political strifes of the day, or attempting unduly to influence public opinion? Mr. W. said he had never witnessed such an instance of improper conduct in an officer of the army, and he was yet to learn that such instances had been witnessed by others. But another large enumeration of citizens aided to complete this division of the dangerous corps of more than one hundred thousand. All the contractors, workmen, and laborers upon our public works, in the charge of the war department, such as fortifications, rivers, canals, roads, harbors, and all the other works of a similar description in construction at the expense of the government, were counted to make up this formidable number of "supple instruments of power." Yes, Mr. President, said Mr. W. the humble carrier of the hod upon one of your batteries, who toils on for his daily allowance of a few shillings, unconscious of his agency, is one of the number of individuals whom the committee suppose material and dangerous agents in the work of ruin to the most free and happy government upon the earth. Each laborer of this description is held to be a "supple instrument of power," a subservient partisan, "ready for every service, however base and corrupt." Sir, tell this to the great body of the yeomanry of this country, and what will they say of this danger? They will smile at the credulity of the committee, and say they are mistaken in their apprehensions. This closes the first class of the great catalogue, consisting of 16,722 individuals.

2d. Mr. W. said, he found the whole navy, including the marine corps, and comprehending, altogether, 8,784 individuals. Here again was a class of men whom he had not been taught to consider "supple instruments of power," "subservient partisans, ready for every service, however base and corrupt." Sir, said he, are the gallant tars, who bear the flag of our country, proudly and triumphantly upon every sea, and to every corner of the globe, the mere "supple instruments of power?" Are the brave and fearless officers who command them "subservient partisans, ready for every service, however base and corrupt?" Is such the character of the officers of the American navy, and are they, *at this moment*, to be thus characterized to the American people and to the world? Not, said Mr. W. by me. They deserve not the character, in my judgment, and they shall not receive it with my assent. Does any man believe, do the honorable committee believe, that in consequence of the moderate compensation which these brave and high-minded, and patriotic citizens receive for the devotion of their lives to the public service, they are prostituted to the executive will, and ready to do his bidding, to the injury and destruction of the liberties of their country? Do they believe that no higher and purer motive than subserviency to executive power has led them on to the noble achievements they have accomplished? If such be the opinions of the committee, they do the officers and seamen of our gallant navy great injustice. It is against the enemies of their country, not against their country, that they war, and war successfully, and long, long, will the liberties of our happy republic be preserved, if they are only to meet their destruction from the hands of the American navy. But, sir, this class is not wholly composed of the officers and sailors and soldiers attached to the navy and marine corps. Every person employed in and about your navy yards and ship yards is included in the enumeration. The humble individual who rolls the wheelbarrow, or handles the cart, or drives the oxen, at these places, is magnified into a man dangerous to our liberties, holding a fearful control over public opinion, a "supple instrument of power," "ready for any service, however base and corrupt." Such dangers, said Mr. W. will never destroy this republic.

3d. The whole roll of revolutionary pensioners, 38,836 in number. This class, Mr. W. said, surprised him much more than the former. The departing shades of the revolutionary army were presented to us as about to become the instruments in the destruction of our liberties. Those venerable men, whose earliest and greatest and richest efforts had been devoted to the erection of this beautiful and noble temple of civil liberty, were now, for the pitiful compensation of eight dollars per month, to become the "supple instruments of power," to use their efforts to overthrow the fabric cemented with their youthful blood; and to draw its mighty ruins down upon their own heads at the last moment of their earthly existence. Would it be believed that this remnant of a noble race had been thus corrupted by such a bounty? No, said Mr. W. they deserve not such a judgment at our hands. But, instruments of the executive? How? What has the executive to do with the payment of pensioners? They derive their claims from the acts of congress, not from the will and pleasure of the executive, and if they make the proof requisite, the right is perfect. The president can neither place them upon the roll without the proof, nor debar them from it when the proof is made. His only interference with the subject is his approbation of the laws, as he approves other laws passed by congress. As well, therefore, might all the private claimants, for whose benefit laws have been passed, be hunted from the statute books and added to the list of "supple instruments of power," as these venerable pensioners of the revolution.

4th. Mr. W. said he now came to a class of officeholders and "supple instruments of power," not less extraordinary than any of the former. It consisted of all the deputy postmasters throughout the country, all the mail contractors, mail carriers, stage drivers, and all others employed in the transportation of the mail of the United States. The number was given in the report at 31,837 individuals. Here was a class of men, with several of whom every citizen of the country must be personally acquainted. He appealed then, fearlessly and confidently, to the people of the country, for the degree of danger to public liberty to be apprehended from this class of dependants upon the public patronage. Who did not know that the postmasters and mail contractors of the country were of all parties in politics, and of every description of sentiment and feeling as to men and measures? Who, in these seats, did not know that the great mass of them were men of respectability, integrity, and faithfulness, and worthy of the trusts confided to them? Who, heretofore, had feared the influence of these men upon the public opinion of the electors of the country? Who, until this day, had imagined that the driver of a mail coach could injuriously influence the opinions of the passengers who might chance to ride in his carriage? In this great mass of individuals, there might be men unworthy of trust. It would be strange if it were not so; but did any man ever dream that they were so numerous as to endanger our government, or that the merry holder of the reins and whip of the vehicle which transports the mail over our public highways, was "a supple instrument of power," a subservient partisan, "ready for every service, however base and corrupt," because his monthly wages were paid to him by a mail contractor? Did any man ever permit himself to believe that the elections of the state were controlled by such men? No, said Mr. W. the idea is mistaken; and the honorable committee have yielded themselves to fears which have no foundation, and to prophecies of evil which will not be realized.

He had then disposed of a very large proportion of this fearful array of more than one hundred thousand persons, dependent upon, and receiving money from the government; and by that means supposed to be made "supple instruments of power," "subservient partisans, ready for any service, however base and corrupt."

The army, and persons employed under the superintendence of the war department, were	16,722
The whole navy, including the marine corps, were	8,784
The whole pension roll were	38,836
All the deputy postmasters, mail contractors, mail carriers, mail coach drivers, and all other persons connected with the transportation and distribution of the mail, were	31,837
Making a total of	96,179

So far, Mr. W. said, he thought the intelligent citizens of this country would be able to estimate the dangers to be apprehended from this alarming number of government dependants with great accuracy; to value the benefits to themselves individually, and to the safety of the country and its institutions; to appreciate the tribute of justice rendered to those who had first broken the yoke of despotism, and given us the liberty we enjoy; and to weigh the objections against, and the reasons for, a continuance of the laws which had created these respective classes of officers, agents and dependants.

The table appended to the report of the committee, and from which he had derived the preceding classifications, showed that 4,508 of this fearful array of 100,687 officeholders and dependants upon executive patronage remained to be accounted for. And here he found it necessary to notice an error in the addition of the table, by which the total number of persons intended to be exhibited was less by 608 than the true number. Two items had been accidentally omitted, to wit: 119 persons employed in the department of war in this city, and 489 pensioners upon the navy pension fund; so that the aggregate presented by the committee was 100,079, while the number in fact, as shown by their own table, was 100,687. Who, then, composed the remaining 4,508 of these dangerous men, and "supple instruments of power?"

There appeared to be employed in the state department in this city, and connected with, and deriving their appointments from and through that department, 456 persons. This number Mr. W. said he understood to include the department itself, all our foreign ministers, diplomatic agents, consuls and officers abroad of every description, and all the members of the federal judiciary, district attorneys, marshals, and all other officers connected with the courts. He surely need not say that the persons employed in an office here could have little influence over the public opinion of the voters of the states, the individuals themselves not being entitled to a vote upon any national question, and their locations separating them from contact or association with the citizens of the states. Much less could he consider it necessary to say that the officers and agents of the government abroad were not to be suspected of exercising a dangerous influence over the opinions and wills of their fellow citizens at home. There only remained then, of this number, the federal judiciary and their district attorneys and marshals, to excite alarm or create apprehension.

From the same table furnished by the committee it would be found that 3,824 persons were employed in connection with the treasury department. This number is understood to include all persons engaged in the collection of the customs, all persons engaged in the survey and sale of the public lands, and in every other branch of the treasury department, including the department itself. Here, Mr. W. said he met with a description of officers towards whom the public attention had been particularly directed for the last year, as using their official situations to influence the electors of their respective districts. The officers of the customs and of the land offices had been broadly accused of these practices. Of the latter he knew nothing, but many of the former he knew personally and intimately. Every senator must know personally a greater or less number of the officers of the customs, for every one must reside within some collection district. He called upon all, then, to state their knowledge of the mal-practices of these officers, if such practices were known. For himself he should feel bound, as a sacred duty to his country, to present any such officer, if he was satisfied that his conduct was unworthy of his trust; much more if it was calculated to corrupt the public morals, trammel the freedom of opinion of the electors, or endanger the liberties of the country. Would any senator fail to pursue this course? Surely not. Still we had heard no such presentments from any quarter of the country, and ought not this single fact to be taken as strong evidence that these sweeping denunciations of a party press, and of partisan politicians, were unmerited by the officers against whom they were directed? Ought it not to be satisfactory evidence that our liberties are not endangered by these officers, so necessary and indispensable to the security of the revenue of the country. If this whole class of officers had become the "supple instruments of power," "subservient partisans, ready for every service however base and corrupt," would not some senator be able to name a single instance from the whole country? to present a single example to the public eye? Mr. W. said he could not feel alarm for the safety of the country while no single officer of the whole corps could be designated as guilty of the suppleness and subserviency which the committee seem to apprehend. So much for the persons employed in and connected with the treasury department.

In the department of war, 119 persons are employed, as shown by the table. This number, Mr. W. said, he supposed to include the topographical bureau and the engineer corps, and he would inquire whether the principles and policy of this administration were such as to authorise the belief that an extension of the influence of this corps to the local and private interests of the citizens was intended? Had not both, in the discouragement of works of internal improvement of a local character, a direct and powerful tendency to circumscribe the power and influence of these engineers and to debar them from an interference with the local interests of the states? Such would seem to him to be the fair and just conclusion. Of the danger to be apprehended from the influence upon public opinion to be exerted by persons in the employ of the war department in this city, he had nothing to add to his remarks in relation to persons similarly employed in the departments of which he had before spoken.

The same table showed 29 persons in the employ of the navy department, and 80 persons in the employ of the general post office in this district. They are principally humble clerks at very moderate salaries, and he doubted not respectable and industrious men, faithfully earning the money paid to them; and if the liberties of this country remained, until destroyed by them, he must be permitted to express an entire confidence that alarm now was ill timed and uncalled for.

This Mr. W. said closed the fearful catalogue of officeholders and dependants which had given to the report its sad and boding aspect, and, thus analyzed, he hoped the danger impending, or in prospect would appear less to the good and peaceable citizens of the country than it had to the honorable committee. The whole might be summed up as follows:

The four classes first mentioned, to wit, the army and persons in civil employment, under the superintendence of the secretary of war, the navy and marine corps, the pensioners, and the postmasters, and the persons employed in the transportation of the mail	96,179
The persons employed in, and connected with the state department, including foreign ministers, consuls, and commercial agents, the judges of the supreme, district and circuit courts, the district attorneys, marshals, &c. &c.	456
The persons employed in, and connected with the treasury department, including all officers and persons employed in the collection of the customs and the revenue service, all officers and persons employed in the survey and sale of the public lands, &c. &c.	3,824
The persons employed in, and connected with the war department	119
The persons employed in, and connected with the navy department	29
The persons employed in, and connected with the general post office	80
Making the aggregate before given of	100,687

Let these hundred thousand individuals stand before the intelligent people of our country in their true character, and let them say how far they are likely to undermine and destroy their liberties. For himself, Mr. W. said, he could feel no apprehension. He believed them, as a mass, an honor, and not a danger to the country; and so he thought they were, and would continue to be viewed by the people. Here he would leave this most alarming assumption of the committee, and proceed to examine another, not less erroneous. The committee assume, without attempting to prove, that those hundred thousand officeholders and dependants, can influence and direct the will of the American people; can control their action at the polls, and dictate the results of their free elections. Mr. President, said Mr. W. this is an assumption as violent as it is unfounded, and does great injustice to the inflexible integrity of our intelligent yeomanry. They, sir, controled in the exercise of that right which they consider above all price, the right of giving a vote for the man who is to rule over them, by officeholders, by soldiers, sailors, laborers in the employ of the government, mail contractors, mail carriers, and coach drivers, or by pensioners? No, sir, never. The idea does injustice to their integrity and intelligence. They are controled by no earthly power in their exercise of that dearest right of a freeman, and the supposition that they are, is, to use the mildest term, a mistake of the committee of a glaring character. The thirteen millions of free people of this country controled in their elections by a few thousand officeholders and dependants upon the government? By a few of their own servants? No, sir. The American people are not thus "supple" and "subservient," whatever may be the character of those who receive their favors and bounty.

But is it fair to presume, from any known facts, that those holding office and patronage are inclined to influence the people for evil to the country? Mr. W. said, he knew of no evidence to warrant such an assumption. That among the great numbers holding office, bad men might be found, was more than probable; but he believed the exceptions would be so few, if the whole number were taken into the account, as to prove that good men generally hold the offices of trust, rather than to impeach the body of officeholders. This brought him to notice a third assumption of the committee, not less unfounded, in his judgment, and more violent and unjust, than either of the former.

Mr. W. said, he referred to the assumption, found in the report, that offices are bestowed "as rewards for partisan service, without respect to merit." This broad charge appears upon the face of this paper, wholly unsupported by proof, or by an attempt at proof, against whom? Against a chief magistrate elected by the people; and, after an exercise of the appointing power, for the term of four years, again re-elected by a much stronger expression of the public approbation than that which first elected him to the presidency. How then does this assumption comport with the respect we owe to the popular will? To the judgment and intelligence of those we represent here? To the free and intelligent people of this free country? But how, said Mr. W. are these officeholders selected by the chief magistrate? Upon the petitions and recommendations of the people themselves; upon certificates of character and respectability, and worth, made by those who are the neighbors and friends of the candidate, and know him personally and intimately: and most usually upon the recommendation of the representatives here of the persons appointed. Are we then to assume that offices are "bestowed as rewards for partisan services, *without respect to merit?*" The people ask, the representative recommends, and the office is conferred, and who shall say that it is done "without respect to merit?" Surely this committee will not be sustained in making the assertion by that people whose will is followed in the appointments made, when the assertion rests upon itself alone without an effort to support it by evidence. It is, Mr. President, said Mr. W. another of those mistakes into which the gloomy imaginations of the committee seem too frequently to have led them. These assumptions, as erroneous as they are unfounded, in his judgment, appeared to him to constitute the reasons offered by the committee, for the presentation of the bill now before the senate. The abuses existing in the minds of the committee were those which had been examined, and the bill purported to provide for their correction for the future.

What, then, was the remedy proposed? A law of 1820 had limited the terms of a large class of officers therein named to four years, and had thus compelled those officers, once in that term, to pass in review before the president and senate, when their characters and conduct, official and private, would of

course be inquired into and examined, and when the state of their accounts with the government would be ascertained.—This law, too, was calculated to secure the cardinal republican principle of rotation in office, by causing periodical expirations of official terms, when those who had enjoyed a reasonable share of official patronage might give place to other citizens, equally deserving, without resorting to the unpleasant alternative of a removal. The first section of the bill reported by the committee, and now under consideration, proposes to repeal this law of 1820, and, by doing so, to make these offices perpetual, or dependent alone upon the pleasure of the president. The latter would be the consequence, were it not that the third section of the bill virtually imposes restrictions upon the power of the president to remove from office, and, taken in connexion with the second section, would seem fairly to imply a design that the president shall remove for one cause alone—that of a defalcation in paying over, or accounting for, public moneys. If this be the tendency of this bill, and this, Mr. W. said, was his understanding, then its effect will be to give to the country district attorneys, marshals, collectors of the customs, naval officers, surveyors of the customs, navy agents, receivers of the public moneys for lands, registers of the land offices, surveyors of the public lands, paymasters of the army, and commissaries general of purchases, for life, instead of the short term of four years; and nothing can remove the officer but his becoming a public defaulter—a piece of official misconduct of which several classes of these officers, such as naval officers, surveyors of the customs, registers of the land offices, and the like, cannot be guilty, because no public money comes to their hands.

And what, Mr. President, said Mr. W. is the assigned cause for this great and dangerous change in the law? To destroy the patronage accruing to the chief magistrate by the simple renomination of these officers to the senate once in the term of four years. Is congress prepared to adopt such a remedy for such an evil? Will the members of this house consent to create an army of officers for life in this government, for the single purpose of getting rid of the evil, if it be one, of the patronage conferred upon the executive power in their periodical reappointment? Mr. W. said he could not think so. He viewed the first section of the bill, standing by itself, as a question of policy only; but he must consider it contrary to the doctrines of the republican fathers, contrary to the genius of our free institutions, and contrary to the well ascertained and well established opinions of the great mass of the citizens of the United States, to adopt any measures of legislation calculated, or intended, to perpetuate office in the same hands. The offices of this government should not be life estates, but public trusts, and, to keep them so, they should return frequently to the people, or to such of their agents and representatives as have the power, by the constitution, to confer them. Without this, the salutary principle of rotation in office is gone, and we raise up an official aristocracy as dangerous to liberty as an hereditary one.

Mr. W. said he was not an advocate of executive power, or official patronage. He would go as far as any one to limit such powers, where that could be done consistently with the constitution, and a safe and salutary administration of the government; but to get rid of that portion of the executive patronage which consisted in the renomination to offices, the terms of which were now limited by law, and from which, as yet, he had seen no cause to feel alarm or apprehension, he could not agree to remove all limitation, and make the offices permanent. It would, in his judgment, be an attempt to avoid a possible danger by the voluntary adoption of a great and certain evil. Such, Mr. W. said, were his views upon the first section of the bill, and, unless changed by what might be subsequently offered in its favor, he could not give it his support.

As to the second section, he had not a remark to make. He fully acquiesced in the principle it contained, that public defaulters should be hurled from office, and that a knowledge of the fact was sufficient ground for instantaneous removal. If any senators supposed that legislation was necessary to secure the practical application of this principle imperatively and promptly, to every officer of the government, he was not aware that he had any objection to make to this section.

His principle difficulty rested upon the third section of the bill. That section was in the following words:

"Sec. 3. *And be it further enacted*, That all nominations made by the president to the senate, to fill vacancies occasioned by removal from office, the fact of the removal shall be stated to the senate at the same time that the nomination is made, with a statement of the reasons for such removal."

This provision in a law of congress, he believed to be in derogation of the constitution of the United States, and he could not, therefore, give it his vote. He had before said he was not an advocate for executive power, or official patronage, but he was an advocate for the constitution, and for just so much power in every branch of the government, as that instrument had granted, and for no more in any branch, either executive, legislative, or judicial. The section did not, in terms, deny the power in the president to remove from office, but it proposed limitations upon the exercise of the power equivalent to the denial of its existence as a constitutional grant of power. Mr. W. said the question was one of the first importance and magnitude, and he did not propose to argue it at the present time, but was bound to give the grounds of his opinion, that the provision was unconstitutional.

The constitution has said "the executive power shall be vested in a president of the United States of America." This he understood to vest in the president all the executive power pertaining to the government of the United States, and not otherwise granted by the constitution. He understood the power of appointment to office and the power of removal from office to be executive powers, and therefore to be vested in the president by this general grant, unless some other provisions of the constitution shall be found to take them from him, or to divide them between him and some other department of the government. What other provisions bear upon the question? The two following:

1st. "He (the president) shall nominate, *and by and with the advice and consent of the senate*, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law."

2d. "But the congress may by law vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments."

If then, Mr. W. said, he was right in supposing that the power of appointment was an executive power; its existence in the president was qualified by the negative of the senate, conferred by the clause first above quoted, and he could nominate, but could not appoint, but "by and with the advice and consent of the senate." Still nothing in this clause affected the power to remove from office, unless by implication, of which he should have occasion hereafter to speak, and therefore that power, notwithstanding this clause, remained in the president, by virtue of the general grant, perfect and unqualified.

But the clause second above quoted might be held to qualify this power of removal, and therefore he referred to it to show that it did not affect the bill under consideration, or obviate its unconstitutionality. That clause gives to the congress the power, by law, "to vest the *appointment* of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments." It has been, and may further be, contended that this qualification of the executive power of appointment may also qualify the power of removal, and that when "the congress may by law vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments," they may prescribe the causes for, and restrictions upon, the removals of the officers so to be appointed in conformity, not to the constitution, but to the law. Mr. W. said he did not find it necessary to discuss this point, as the third section of the bill before him reached the removal of all officers superior and inferior, and alike required from the president the causes of the removal, whether the office was of the one grade of the other. The provision proposed by the committee, made no distinction between an ambassador, or other public minister, or consul, or a judge of the supreme court, the offices enumerated in the constitution, a superior officer, a member of the cabinet, and an inferior officer, a surveyor of the customs, "established by law."

Again, the congress had not yet by law vested the appointment of any of the officers named in the first and second sections of the bill "in the president alone, in the courts of law, or in the heads of departments," and until they had done this, the second clause referred to could have no operation to restrict the power of removal conferred upon the president by the constitution, that power, like the power of nomination, remaining in him under the constitutional grant as to all offices "which shall be established by law," until the congress think proper to vest the appointment of inferior officers in himself alone, in the courts of law, or in the heads of departments, and to affix by law the causes for and the restrictions upon the removal of the officers so to be appointed.

Neither of these qualifications upon the executive power granted to the president, then, Mr. W. said, seemed to reach the provision contained in the third section of the bill of the committee, and he was left to inquire whether any implication from the executive power granted to the senate, authorised the legislation proposed? The grant to the senate, made in the constitution, was to advise and consent to nominations made by the president, or to refuse that advice and consent, and it had been argued by the honorable senator from Massachusetts, (Mr. Webster), that this power necessarily drew after it the advice and consent of the senate to removals from office. That honorable gentleman had stated that he had examined the practice of the government, and that the only removal was the appointment of another to fill the place of the person removed. His argument was understood to be, that as the appointment of A, to fill the office of B, removed, was the only removal of B, therefore the appointment of A was the removal of B, and the appointment of A requiring the advice and consent of the senate, this body must also be held as advising and consenting to the removal of B.

Mr. W. said, he had not examined the practice of the government in this respect, and therefore he could not say whether, or not, it had been customary, in cases of removals from office, to issue a *supersedeas*, the uniform practice, as he believed, in his own state, but he would ask the honorable senator whether it had ever been supposed, when the president nominated A to an office in the place of B removed, the rejection of the nomination of A by the senate, restored B to the office from which he had thus been removed by the president? Did not the senate know that, in case of such rejection, the office had always, from the commencement of the government under the constitution

been held to be vacant, and the president bound to continue to nominate to the senate until he found a person to whose appointment they would advise and consent? Had he ever heard of an incumbent, thus removed, returning to the duties of his office in consequence of the rejection by the senate of the nomination of his successor? Mr. W. said, he was confident in the assertion that the history of the government furnished no instance of such a claim to office, or of such an exercise of official powers. How then could the gentleman contend that the advice and consent of the senate to the appointment of a successor, had been held to be also an advice and consent to the removal of the incumbent. If the senate did *not* advise and consent, the removal had ever been held to be perfect, and the office vacant, and therefore that advice and consent, when yielded, could not be held to make the removal. So much, Mr. W. said, for the argument in favor of the implied executive power, existing in the senate, to participate with the president in removals from office. It had not existed in the practice of the government; it did not exist in the constitution, and he would leave it to those who made the claim to point out its derivation.

He would again say that it was not his object to argue these great constitutional questions, and he had said thus much to declare his distinct and clear opinions. He held the power of removal from office to be an executive power, in the clear and universally admitted classification of governmental powers. As an executive power, he held it to be vested in the president by the broad grant of that power, contained in the constitution, because no qualification found in that instrument, and no action of congress under it, granted power to regulate the appointment of inferior officers, had taken it from him as connected with the third section of the bill before the senate.

Could congress, then, by law, require from the president his reasons for an act performed in pursuance of the power granted to him by the constitution? He could not think it would be pretended. As well might congress declare, by law, that the president should send with every nomination he makes to this body, the reasons why he has selected the individual named. As well might congress declare, by law, that the senate should make a statement to the president of the reasons for their action upon his nominations. Each acts in the exercise of an independent constitutional power, expressly conferred, and neither is responsible to the other for their action, but both are responsible to the people and the states.

So in making removals from office, the president, if he has the power at all, possesses it as an express grant of the constitution, and he is responsible to congress for its exercise in no other way than by impeachment, and then the causes should be assigned, if assigned at all, to the impeaching and not to the trying branch of congress. He, therefore, could not view the section in any other light than as a direct and palpable violation of the constitutional powers and rights of the executive, and as such he must oppose its passage. He would not, however, consume more of the time of the senate, at this late stage of the session, in fortifying his position. He would content himself with the fact, that the first congress ever convened under the constitution had deliberately decided these questions of executive power as he now contended they existed. That congress consisted of a large number, among others, of the framers of the constitution, men more competent than any other to form correct opinions as to its intended grants of power. It had been well said by the honorable senator from Ohio, (Mr. *Ewing*), that this decision was made before the formation of political parties under the government, and at a time when political partisan feeling could not have influenced the judgments of those who pronounced the opinion that the power of removal from office was an executive power, and was vested in the president. If proof of this fact, stronger than any other, could be required, it would be found in the record of that debate, which shows James Madison, the most distinguished democrat, and Fisher Ames, the most distinguished federalist, in that congress, combining their unsurpassed talents and powers of eloquence in favor of the decision. General Washington, then president of the United States, and the president of the convention which formed the constitution, claimed and exercised this power during the whole of his administration. The elder Adams exercised it after him. The immortal Jefferson, the father of democracy, also claimed and exercised it freely during the eight years of his administration. After him James Madison and James Monroe exercised it for the period of sixteen years. The younger Adams then exercised it during his presidential term, and the present chief magistrate followed the examples thus set for him until the last year, without an intimation of a doubt as to the existence of the power as a constitutional grant.

Mr. W. said he would not remark further upon this point. If gentlemen would show him that the power of removal was not an executive power, it might then be competent for them to charge him and his friends with attempting to claim power in the president by implication from the constitution and not from express grant. He was the advocate for no implied powers in any department of the government. He held this to be an executive power expressly granted in the broad grant of that power to the president. So the congress of 1789 had decided it to be, and so the practice of the government for almost fifty years under the constitution had uniformly treated it without debate or question.

He had now completed what he had proposed to say. His principal object had been to examine the facts from which the committee had drawn their frightful picture of danger to the country from executive patronage—and to point out what appeared to him their almost unmeasured exaggerations of inference and conclusion from their own premises. This he had considered it a duty he owed to himself, to the senate, and to the country to do, and he had made the attempt, whether successfully or not the senate would decide. He would merely add, what he had before repeated, that he saw no cause for the great and peculiar alarm expressed in the report; he felt not that alarm himself, nor could he believe, if it had foundation, that we were to discharge ourselves and the country from it by making perpetual the terms of office of all the officers who must receive their appointments upon the nomination of the president, and whose terms of office were now limited by law. Such a remedy would increase, but could not quiet his alarm.

Mr. *Preston*, declared that it had not been originally his intention to take part in this debate, the state of his health was such as not to admit of it, but he felt himself bound to rise and express a general opinion, and more especially to enter his most solemn protest against the strange and unwarrantable doctrines which he had heard brought forward in the course of this discussion.

He would chiefly direct his attention to what had fallen from gentleman from New York, (Mr. *Wright*), with that gentleman he confessed he was ready to concur; that if he traced back the source of executive patronage to its head, we should find it in congress; true it was that congress alone authorised appropriations; true it was that every expenditure which added to the mass of executive patronage, took its rise in congress. But what had that to do with the question as it related to the immediate subject of executive patronage? Are we to imagine that the power possessed by the president comes to be dangerous because congress has helped to establish the foundation of that power in authorising the expenditure on the basis of which the patronage is rested? Is the aggregate of unlimited power at all diminished because congress is the source from whence the hand of patronage is enabled to make its disbursement! True it is, the public money which the president disburses, or which goes to extend the sphere of his influence, is ours and not his; but is the power less; is the sum total of patronage less, is the danger less, because it is the public money which constitutes the whole means, and creates all the influence of the patronage?

True it is that we authorise the expenditure; but who is it that profits by it? Who is it that obtains power and patronage by it? We legislate, we make appropriations, we give authority and legitimacy to every expenditure, but it is not for ourselves; it is not for our hands to wield the mighty lever which is created by our votes. Another hand than ours, wields that lever, and shall we therefore suffer it to be left there at his own discretion, without check or limitation? Shall we suffer the power which we originate, to be directed against us, to our own destruction by leaving it to be exerted at the will of a single individual.

Willing, however, as he professed himself to be, to acknowledge that congress was the first spring and source of expenditure, he must beg to recall gentlemen to the consideration of the real question, which was not the question of origin, but of actual existence; the inquiry was directed to executive power as now found to be, whatever may have been the error, if they were errors, which first injudiciously suffered such a great and tremendous power to rise and grow to its present alarming height. Congress must make appropriations and authorise expenditure for the necessities and for the welfare of the country; but does it follow, therefore, that because congress must by necessity originate expenditure, that therefore it is admissable that these expenditures should be turned aside, or employed to the creation of a power preponderating over congress and over every thing in the country? Does it follow that it is a harmless and innocent thing, that all this expenditure should go to the profit of one individual to aggrandize his power, to increase his influence, to augment his patronage, and to render him the unlimited master who dictates the destiny of those to whom these expenditures are disbursed by his hand? If congress holds the purse and pours out its treasures, does it follow that one hand is to receive them and control their disbursement, and be established necessarily as the master over all who look up to that hand for the sweets it dispenses? Vain therefore and futile, idle and untenable is the specious argument which has been so much and so strongly dwelt upon, that because the source of the expenditure is in congress, therefore there is no dangerous accumulation of patronage with the president! There is, (continued Mr. *Preston*), a formidable amount of executive patronage; it is a proposition which no one can or will dare to deny, that this patronage has increased, and is still increasing; this is the proposition on which the report is founded; it is a proposition which imperatively calls upon all the power and feeling and energy of the people to awake and rouse themselves, and know their real situation; and above all, not to be led to lose sight of the real fact, of the undeniable proposition, by being sent a hunting after collateral questions, leading away from the main point and bewildering the judgment with disquisitions upon the various actions of congress and the wisdom and folly of those actions.

The gentleman from New York, observed Mr. *Preston*, has analysed and divided the mass of dependants, and then asked of each part separately, whether there existed any danger in it.

First he takes the pensioners, then the army, then the navy, and so on, and after reducing each to the utmost possible insignificancy, he then triumphantly asks, "*is there danger here?*"

By this specious mode of representing things, the honorable gentleman is mistaken if he imagines that he will succed in convincing the country that an army of dependants, of all classes gives no undue influence, to the power which is made to preside over the mighty mass.

However contemptible the mere individuals of each class may appear to him, the aggregate mass of patronage thrown by their means, into the hands of the executive, will not appear insignificant and contemptible, to those who have at heart the welfare of the country, and the stability and permanency of our institutions.

The mass of dependants gives power, that is undeniable, and that is sufficient! it is therefore to evade, it is to blink the question, to attempt to show that no power whatever is conferred upon the individual who dispenses a patronge of such enormous extent.

But, said Mr. *Preston*, by what magic is it that executive patronage, which was pronouced by a committee of gentlemen, who were now in the ranks of the administration, to be highly dangerous in 1826, and have arrived to a pitch demanding checks and restrictions, by what magic is it that the same executive patronage and power, which is now doubled, aye, trebled, is no longer dangerous? They, the same gentlemen who declared it dangerous in 1826, now come forward when it is now mightily increased, and attempt to laugh at the idea of its being dangerous in 1835! By what magic is this that the mere atoms of the collossal building, which now exists, alarmed them in '26, and the gigantic structure itself, now seems only to excite their love and admiration? This is strange indeed! In 1826 there was an army, a navy, a post office department, a pension list—all this mass of dependents were dangerous in '26, and now that they are infinitely increased, the same gentlemen tell us, that they are no longer dangerous as means of executive patronage.

I would ask the gentleman from New York, (said Mr. *Preston*), to whose efforts I always listen with great attention, as marks of an intelligent mind, I ask him, if restrictions upon an increased executive power were necessary in 1826, are they not now much more necessary in the much more augmented extent of the executive patronage? If he acted with his party then, and implicitly followed the measures it put in action for its own specific objects, how is it that *now*, he does not act in the views, and upon the principles, which, in 1826, his party have left upon record? What change of position has produced this change of principle? That which was right and good then, is now wrong and false, and every thing that is bad with the self same party! I have not, (said Mr. *Preston*), changed my relative position—I feel now as I did then; but if I had changed my position, I would not have changed my views and principles. No! if my best friend were in power, I should say now as I said then—for the sake of our country let us destroy the germs of a power which threatens ruin to the country, and utter destruction to our institutions. I should feel bound to do so, if my best and dearest friend were the object, and possessed of the patronage, the evils, and dangers of which a man must be voluntarily and wilfully blind, if he will not see. How much more then are they bound to carry out the principles to which now they are opposed, who came into power wholly and solely on the basis and foundation of these very principles?

How much more are they bound to sustain and maintain the principles on which they rode into power? But now we see them turn round and deny those principles—now they argue that when the executive power is increased ten-fold, it is not dangerous; it is not to be restricted; they argue and vote thus, who, in 1826, when it was not half so great as now, recorded in their report that it was dangerous and ought to be restricted.

But, said Mr. *Preston*, I rejoice to see one honorable and illustrious gentleman, who sits before (Mr. *White*) form a great and magnanimous exception; I am glad to see him persist now in the principle and opinions which he recorded then. If those principles had been maintained, if the president had acted up to them I should not be where I am (observed Mr. *Preston*), I should not be found opposed to his measures; whatever personal feelings I might entertain, public opposition to principles which were my own, I never should have given. It is only because these principles have been abandoned, that I have been found in the position I occupy; but I must say in reference to the present question, that it is perfectly insignificant who or what he may be, who is pro tempore the president of this union: the question does not direct itself to the person of any individual; it is a question in which the country and posterity is deeply concerned, not for a day, but in perpetuity; the safety of our republic depends entirely upon stripping the president, not merely the present incumbent, but every future president, of a dangerous power, of a destructive and pernicious prerogative which cannot safely be left in the hands and at the discretion of any single individual. Let it be remembered that we are not here to legislate for a day, for the mere object of putting in one man, or turning out another; but we legislate for many years to come, and on subjects in which the course we take will decide hereafter upon our fame and character. As for myself (said Mr. *Preston*) the senate knows, every individual knows, that the principles which I now advocate, are those which I always did advocate, at all times, and in all places.

This measure has been attacked, on the grounds that in 1789, men of known talents, passed an opinion favorable to the existence of the quantum of patronage, which *at that time*, was possessed by the president. I profess, (said Mr. *Preston*) I have heard with perfect dismay the gentlemen from New York and Pennsylvania, (Messrs. *Wright* and *Buchanan*) avow sentiments extremely dangerous; yes, extremely dangerous! The former gentleman opposes the bill, because, he says it is not constitutional to limit the power of the executive! The latter gentlemen also makes the constitution his basis, and builds upon it claims for the individual power of every chief magistrate, such as are so highly dangerous and so overwhelming and sweeping in their consequences, that, though it is not the first time I have heard such monstrous claims asserted as flowing from the same fountain, yet, I am filled with the most serious apprehensions when I hear them. These gentlemen, it is true, profess great veneration for the constitution, and with the salvo of its name, they set about establishing such claims of arbitrary and despotic power for the chief magistrate, as, if they succeed in the doctrine, will very soon show that a constitution which warrants such doctrines, is any thing but a free constitution. So then, if we are to give heed to the arguments and inferences of these gentlemen, and others who reason in the same strain, when we are bound by the constitution itself (as they are pleased to interpret it) to surrender up our liberties, to abandon the rights of the people, to give up all that our brave fathers contended for! Yes, we are bound to do all this *by the constitution!* We are bound by the constitution to be without freedom and without a constitution! They rest their arguments upon the various clauses of the constitution, and because this instrument says the executive power shall be in the president, they seriously maintain the despotic and arbitrary power which it is the object of this bill to restrict and limit, belongs *by right* to the president! They prove this, or imagine they prove it, by the constitution! And with the sound of that name issuing from their lips, perhaps they imagine they will be able to prove the same monstrous doctrines which they maintain, to the people of this country—but they are deceived! The people of this country are not yet, I trust, prepared to submit to individual power placed upon a pedestal out of the reach and control of the people. They argue, that because the constitution says the executive power shall be in the president, therefore we are to submit to erect a power over us which is utterly incompatible with the existence of liberty and the existence of a republic. Because the executive power is to be in the president, therefore, they resist this bill which imposes limitation to his power, and are anxious to give to him and preserve to him uncontroled, unlimited and most dangerous power—and what is executive power? Where do they go to find out definitions for this executive power, by what they mean all power—unlimited power—and with which they seek to clothe the president? Where do they hunt up their definitions of this term "executive power," that they may know their own meaning, and find arguments by which to establish a perfect despotism in our republic? They go to the ruined and mouldering columns of the prostrate temples of Asia; they go to the palaces of European monarchs, to Buckingham house, White Hall and St. James; they go to the Russian Kremlin and to the sublime porte, to find a definition for executive power, and having found it in the persons of kings, sovereigns and despots, they come here to our America and seek to transfer to the white house the definition which they have found in transatlantic palaces.

If it be so—if it be as they maintain, that executive power is granted to the president by the constitution (I speak not, said Mr. *Preston*, of the present incumbent, but of the corporation of our presidents universally); if the constitution makes a grant of this power, and they will not admit of any limitation to it, as they show by the opposition to the provisions of this bill, then I ask, since all power is granted to the president, what executive power is left to the states? None whatever is left to them at that rate.

It was once proposed to grant to the president a veto on the states: but the proposition fell to the ground. What it however proposed, was trifling indeed, compared to what they confer by the interpretation which they put upon the constitution—they, the gentlemen of the administration. But I believe throughout the whole country none others will be found to do so.

If the word executive power is to cover and include all, and to admit of no limitation or control to executive patronage and power, then I ask, why should there be an enumeration in that instrument of specific acts which the president is authorised to perform? If it is to be interpreted as conceding to him all power, why should it be said that he shall be required to see that the laws are executed? Why should this be said if all power is already his by the grant of the constitution?

The "*general welfare doctrine*," which has been squeezed out of the constitution, annihilating the independence of the states, never, I confess, said Mr. P. monstrous as the doctrine is, excited such alarming apprehensions in my mind as this doctrine which is now so strenuously urged by the supporters of the administration. The spirit of our fathers, the genius of our institutions, all rise up in dismay and cry out against it! I lift up my feeble voice against it; I pronounce my solemn protest against it; as being contrary to all that our fathers hoped and fought for, as contrary to the safety and welfare of the country, and as being a desperate struggle against the principles of that great and glorious struggle for which our ancestors laid down their lives!

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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It was *Plympton*, and not Plymouth, at which happened the *Declaration of Independence*, mentioned in the REGISTER of the 11th inst.

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In the next number we intend to conclude all that we shall give of the debate in the senate on "executive patronage"—to wit, the speeches of Messrs. *Webster* and *Grundy*, and some brief sketches of two or three others. The debate is one that will be often referred to hereafter; and, if not interesting, at present, our readers will be thankful to us, a year or two hence, that we have made so extensive a record of it. It has extended to a greater length than we designed, though still imperfect—but our desire was to give a fair, and full, view of the subject—the ultimate disposition of which has already been *registered*.

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The Washington rail road was opened for public travel a short distance beyond Bladensburg, on Monday last—and the rate of going was twenty miles an hour. It will soon be completed—the iron having arrived, and the chief thing required is to lay it down.

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Captain Read, of the navy, who was recently tried in Baltimore on certain charges preferred by midshipman *Wilson*, has been sentenced to suspension from the service for one year. The sentence has been approved by the president.

We find the following particulars in the Army and Navy Chronicle:

Captain Read, of the navy, was tried upon five distinct charges, each having three specifications.

Charge first. Conduct unbecoming an officer and a gentleman.

Second. Oppression.

Third. Cruelty.

Fourth. Scandalous conduct.

Fifth. Violation of the 30th article of the act for the better government of the navy of the United States.

Upon the first charge, the court found him "guilty under the charge itself of conduct unbecoming an officer, but not guilty of that part which charges him with conduct unbecoming a gentleman."

The court also found him guilty of the *second* and *fifth* charges; guilty of all the specifications of the *third* and *fourth* charges, but not guilty of the charges themselves. "Upon this finding the court do hereby sentence the accused, captain George C. Read, to be suspended from the service of the United States for one year."

This decision was made by the court on 1st July, and the sentence approved by the navy department on the 20th.

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Mr. *Livingston's* speech at the public dinner given to him at New York will be found in our pages. It will be read with interest.

On Saturday last, according to previous arrangements, he dined at Philadelphia, with a large company. He was addressed by Mr. *Dallas*, preparatory to the following toast—to which he responded:

Our eminent and honored guest, Edward Livingston—Whose high career of philanthropy, jurisprudence, statesmanship, diplomacy and all-pervading republicanism, has ameliorated the condition of man, exalted his native country, and secured for himself universal affection and imperishable fame—health, happiness and a heartfelt welcome to her cherished citizen and dauntless defender, is the approving acclamation of united America!

This toast was also given, and may shew the character of the feast—

The senate of the United States—May the calm but resistless power of popular opinion, speedily reinstate its true representative character, and forever banish from its walls the inquisitorial practices of party proscription and violence.

—

We mentioned, a short time ago, a discovery concerning *artificial stone*, which, it seems, can be made of *any* size, or shape, or dimensions—perfectly water tight, &c. but without referring to the residence of the artist. The address is to "Mr. *Parker*, 107 *Amos street, New York*, where he has a house built, 18 or 20 feet high, with all its doors, pillars, and portico, &c, as though they were of cast iron! He is about to erect a row of like edifices, at South Hempstead, L. I. It is said they will be more durable than "Boston granite"—but that is yet to be ascertained!

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It is believed that the whole of the testimony, (with the speeches of the counsel in the case), concerning the wills of *John Randolph*, will be published.

"By his first will dated in 1821 all his negroes are emancipated, and he devises for their use two farms, the Bushy Forest and Lower Quarter estates, which he directs his executors to sell, the proceeds to be applied for their benefit. The residue of his estate is given to judge Leigh. I am told that the two farms are valued at $100,000 and that the bequest to judge Leigh is of equal amount. Bishop Meade of North Carolina, and Francis S. Key, esq. of Washington, are the executors.

"After his return from Russia he made another will dated in January, 1832, and the question to be tried relates to his state of mind at the time of making it. The bulk of his estate is given to a minor named Bryan, a son of the testator's niece and grandson of judge Coulter, of Va. In the event of the death of Mr. Bryan, the property to go to the first son of Henry St. George Tucker, and if he should die without issue, to judge Tucker's second son. Judge Leigh receives a legacy under this will of 6 or 7,000 dollars. The will contains some other small bequests.

"Both wills being properly executed, the first, it would seem, is void, unless some good objection exists to the last will. All the presumptions of law are in favor of its validity, until the contrary appears, so that the laboring oar is thrown upon those who set up the first will. They contend that Mr. Randolph was insane at the time of making the last will, and a great deal of evidence has been offered to the court to sustain this point."

* * * * * * *

"A great many of his letters were read to the court, some of them written with great beauty and elegance, and when read, drew forth the admiration of the auditors. One of his letters was quite singular. It is written to an old man, a neighbor of his, requesting him to come round and pray for him, complaining that he was under the influence of the devil, who appeared to him in a peculiar manner—I believe in the shape of a mulatto girl and a bottle of Champaigne."

Distinguished counsel were employed on both sides, who argued the cause with great ability. They concluded on Saturday last, and on Monday the court admitted the last will, that of 1832, to probate. It is said to be written with great perspicuity. No evidence was examined to sustain Mr. Randolph's competency to make a will.

A correspondent of the Petersburg Intelligeneer, states that judge Leigh relinquished all interest in both wills that he might become a competent witness in favor of that made in 1821, by which the slaves were emancipated—an object which Mr. R. had then greatly at heart, and enjoined judge Leigh to aid in consummating.

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EGYPT. The London correspondent of the "Baltimore Gazette" represents the country as reduced to the very extreme of wretchedness and poverty; in the cities and towns all commerce completely stagnated; the plague raging with unabated fury, and with a certainty of its continuance for other two months. In Alexandria it has already carried off one-third of the population; for the last month the deaths have averaged 500 a day, even according to the published bulletins, but it is believed that the real numbers greatly exceed that. The consuls have all deserted their post, and betaken themselves to the hills, with the exception of col. Campbell, upon whom the government has thrown the additional task of superintending the transmission of the Indian mails through this country, and whose multiplied duties compel him to keep his post in defiance of all danger. The pacha, after two months residence in the upper country, has returned to Shaubia, and will finish his quarantine here. He is represented of late as enfeebled in body and mind, but without any truth I believe, although in the present state of the country, there is enough to shake the nerves of any

men will, by this machine, do the work of twenty, with the axe.

—

Between the 20th March last and the 1st of the present month there were shipped eastward from *Pittsburgh*, on the Pennsylvania canal, the following quantities of the five articles enumerated:

Of Flour,.....	22,785	bbls.
Bacon,.....	5,189,534	lbs.
Tobacco,.....	2,552,319	"
Lard,.....	284,716	"
Furs and peltry,.....	201,145	"

—

There had like to have been another "*awful rail road accident*" as stated below—

As the engine and train of cars was approaching Worcester on Saturday afternoon, a man was observed lying directly across the track. The engine was stopped, and the man being found to be dead drunk, was removed from the track, and the engine passed without injury.

[*Boston paper.*

And one happened, as follows—A man was run over by the cars of the Pontchartrain rail road on the 4th inst. and immediately killed. The accident is to be attributed to his own imprudence—*he jumped out of the cars while they were running at full speed*, his foot got entangled, and he fell under the wheels.

—

A new plan of steamboats is thus announced in the Buffalo "Commercial Advertiser:"

We have been shown, by Dr. *Plantou*, of Philadelphia, plans for an entire new mode of navigating canals, shallow waters, rivers, &c. of which that gentleman is the inventor. The principle is the propulsion of boats by means of water-tight revolving cylinders, furnished with paddles. One of these cylinders is placed at each end of the boat—and acting both as buoyancers and propellers, they effect, as the inventor very satisfactorily demonstrates, the important object of impelling the boat over the surface of the water without having to overcome the great resistance encountered by the usual method of forcing it through the water. The current created by the action of the forward cylinder, passes entirely under the boat, and by lifting it up, aids in impelling it forward.

Dr. Plantou's models, &c. were submitted to a select committee appointed by the last legislature of this state, who recommended them to the favorable consideration of the canal board. The board have since expressed their approbation of the project.

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The Newark Daily Advertiser makes the following just remark about political conventions,

"Politics is the business of the officeholder, as much as agriculture is the business of the farmer. It is his trade; the craft by which he thrives. Hence he is interested to establish some means by which he may control them, and the conventions are the very things for him. The multitude cannot go to caucuses and conventions; they are necessarily made up of the officeholders and their agents; and when they once agree upon their man, he is put forth as the 'regular nomination,' and the people are told it would be high treason to go against 'regular nominations.'"

—

John Sergeant has been selected by the bar of Philadelphia, to pronounce the eulogy on judge Marshall, and Horace Binney appointed to perform the same duty by the councils of that city. Chancellor Kent has been requested to perform the like service by the bar of New York, and Daniel Webster by the bar of Massachusetts.

Extraordinary imposition. The late sir Everard Home has been long known throughout the world for his physiological acquirements, and for his numerous essays on various medical subjects, evincing much research and discrimination, with deep study and reflection. It was thought that the cause of physiology, with which the welfare of mankind is intimately connected, owed much to the writings of this eminent man. But from an article in the last number of the Boston Medical and Surgical Journal, we learn with surprise that a great proportion, if not all, the ingenious and highly curious papers which were given from time to time in his name, for a series of years, to the Royal society, and published at great expense in their transactions, were actually *stolen* from the late Mr. Hunter's manuscripts, the property of the nation, kept in the Hunterian museum. After being used, to prevent the discovery of his meanness, the originals were destroyed—to the amount of *ten large folio volumes!* Being one of the curators, he had complete control of the papers, and was thus enabled to carry on this disgraceful system of imposition through life. These circumstances were elicited in the course of an examination of Edward Clift, before a select committee on medical education, in the house of commons. Mr. Clift was formerly a pupil of Mr. Hunter's, and wrote, under the author's direction, a large share of the whole mass.

[*Boston Journal.*

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Iron in Virginia. Mr. Francis B. Deane, jr. has lately put into operation, in the county of Buckingham, an extensive forge or furnace, for the manufacture of iron. It is the only establishment in eastern Virginia, and may, with proper auxiliaries, be rendered of great utility to the public. The ore is very abundant in Buckingham, and of an excellent quality. We trust the enterprising proprietor may realize a full and ample reward for his exertions.

While upon this subject it may not be amiss to refer to some facts which are unknown to a large portion of the people of Virginia—as they have been to us until recently. Iron is now conveyed in *pigs*, from Virginia to Ulster, in the state of New York, where, *with Virginia coal* it is manufactured into bars, returned, and a profit realized of *thirty-two dollars upon every ton!*

These questions at once present themselves. Why cannot iron be manufactured at home, where all the facilities of ore, coal and transportation, are just at hand? Why will Virginians suffer themselves to be thus taxed? Are they blind to their own interest and the advantage by which they are surrounded? Are they less discerning than their brethren of the north? Has nature been bountiful to them in vain? Are they determined to perpetuate the character too long bestowed upon them, of inertness, slothfulness and imbecility?

We have learnt, too, with astonishment, that more than half the iron sold in Richmond, (exclusive of English iron), is from New York and New Jersey—much of it sent right back to the mountains from whence the ore is taken. And this course of trade is suffered to exist because southern capitalists will not venture out of the beaten track.

Here we have water power along the James river for miles above Richmond, almost sufficient to turn the world itself—and yet there is not a single rolling mill in Virginia. Until we shall direct our attention to the subject of working up a greater quantity of our own productions, and thereby retain the profit upon whatever labor is necessary to prepare articles for our home consumption, we may complain in vain of northern exactions. In fact, we have no right to complain; we are parties to our own thraldom and dependence.

Any enterprising man or company, might, in a very short period, put in motion the old armory building, and realize from the boring mill, which is authorised to be leased, a very handsome profit, by converting it into an establishment for rolling or hammering iron.

[*Richmond Courier.*

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Shoemaking in Lynn, (Massachusetts). Shoemaking is identified with the earliest history of Lynn. In olden times, ladies' shoes were made here of common woollen cloth, or coarse curried leather, afterwards of stuffs, such as cassimere, everlasting, shallon and russett; some of satin and damask, others of satin lasting and florentine.

They were generally cut with straps, for large buckles, which were worn in those days by women as well as men. Ladies' shoes 60 or 70 years ago, were made mostly with white or russett rands; and stitched very fine on the rand with white waxed thread. Some were made turn pumps and channel pumps, all having wooden heels, called cross cut, common and court heels. Then the cork, plug and wedge or spring heels came into use. The sole leather was all worked with the flesh-side out. About 65 years since, John Adam Dager came to Lynn from London. He was a finished workman and of essential service to the craft. He took great pleasure in instructing young men in the art of shoemaking. From that time there was much improvement in the workmanship, and there has been a progressive improvement ever since.

Previous to the war of the revolution, the market for Lynn shoes was principally confined to New England—some few, however, previous to that period, were exported to Philadelphia. At the period above named, the business was transacted in a different manner from what it is at the present day—many individuals with small capital, carried on the business at a small scale—confining it to their own families. Fathers, sons, apprentices and one or two journeymen, all in one small shop 12 or 14 feet square, with a chimney in one corner; this formed the whole establishment. After the revolution the business assumed a different aspect. Shoes were manufactured upon a more extensive scale. Enterprising individuals embarked in the business in good earnest—hired a great number of journeymen—built large shops—took apprentices and drove the business. Master workmen shipped their shoes to Philadelphia, Baltimore and Virginia—so that Lynn shoes took the place of English and other imported shoes. Morocco and kid leather, suitable for shoes, began to be imported from England, which soon took the place of stuffs. Roan shoes were now little called for, and the improvement of working the sole leather grain side out, was now generally adopted, making what is called duff bottoms. About the year 1794 or 1795, wooden heels began to go out of use, by the introduction of the leather spring heels. This improvement progressed gradually until the heel making, which was once a good business, was totally ruined. Within a few years stuffs of various kinds have been introduced into the manufacture of shoes for summer wear. It may be said, that the shoe business has been advancing, with occasional intermissions, from the close of the revolutionary war to this time.

In 1810 it was esteemed that one million pair of shoes were made in Lynn, the value of which was about $800,000. About $50,000 was paid for the labor of females. In 1832, the manufacture had increased to one million seven hundred thousand pair, and gave employment to three thousand six hundred persons, male and female, and amounted in value to about one million of dollars. Of late years millions of the low fancy shoes have been manufactured for the South American states.

It is estimated that about one-eighth part of the shoes are made from goat skin morocco, three-eighths from various stuffs. To manufacture the cloth shoes would require from 90,000 to 100,000 yards of cloth, which is principally manufactured in and about Leeds in England, and costs the manufacturer from 80 to 90 cents per yard. For morocco shoes it would require about fifty thousand goat skins and ninety to a hundred thousand sheep skins. The sole leather for the whole, would probably amount to about 700,000 pounds, at from 18 to 28 cents per pound. It would require about 1,200,000 yards of galloon to bind them, and three millions four hundred thousand yards of ribbon to trim them. The linings would require eighty thousand yards of cotton cloth and seventy thousand yards of Russia sheeting. The quantity of sewing thread used in the manufacture would be one thousand pounds of silk and five thousand five hundred pounds of flax and cotton. Of thread seven-eighths is imported. All the important articles have heretofore been subject to a heavy duty, which enters largely into the price of the shoes. [*Newburyport Herald.*

ITEMS.

Whaling from Bristol—The Gazette of Saturday says, "Of our 17 whalemen now out, only one remains unheard from; the aggregate of oil on board the others was between 13,000 and 14,000 barrels at the last advices, since when it has undoubtedly been augmented. Three of the ships are expected to arrive in the course of the ensuing fall, and although one of these has been unsuccessful, the three cargoes will be worth not less than $100,000."

The territory of Arkansas is taking measures for its admission into the national confederacy.

The steamboat *Merchant* arrived at New Orleans in twelve hours from *Mobile*, the shortest passage ever made between the two cities.

Among the many wagons conveying movers to the west, which daily pass through Wheeling, was one, on Tuesday week, attended by thirty-five persons, twenty-six of whom were upon it: the others followed on foot. They were five families from the western shore of Maryland, who had united in chartering a single wagon, the upper loading of which was bedding piled to the height of 12 feet from the ground, on top of which 26 momen and children were perched. On the next day, four families, containing 29 persons, with a single wagon, followed from the same neighborhood. [*Wheeling Gazette.*

The editor of the Indianian, published at Corydon, Ind. stabbed his wife on the 25th ult. with an intention of killing her, and then stabbed himself—the wound inflicted upon his own person instantly proved fatal, but his wife was alive at the last account, though not expected to recover.

It is stated that at the beginning of the present century there were but forty Catholic chapels in England, and that they now amount to more than five hundred—many of which are built on a large scale.

Fatal accident—A western paper mentions a melancholy occurrence as having taken place a few weeks since in Baltimore, Fairfield county, Ohio. A congregation were assembled for the purpose of worship, when a violent storm arose, which blew in the gable end of the meeting house, killed a lady and dangerously wounded 11 other persons, besides injuring 15 or 20 more or less.

Public lands. The Missouri Republican states that upwards of $200,000 were received at the land office at Quincy, Illinois, in the month of June last—more than $19,000 of which were received in a single day. It is the smallest land district in the state; upwards of three-fifths of the whole quantity of land had been previously appropriated for military bounties.

The sale of public land at Chicago, for the same period, amounted to between four and five hundred thousand dollars. That town was filled with purchasers, and provisions were scarce. Flour was selling at from $16 to $20 per barrel.

Mint juleps. The proprietor of the American Hotel, New Orleans, paid for *mint*, in one year, *fourteen thousand dollars*—so it is stated! If true he must have made a mint of money!

FOREIGN NEWS.

Paris papers of the 12th June, received at the office of the *Courier*, New York.

In the chamber of peers—11th June.

The chamber proceeds to the discussion of the law tending to insure the execution of the treaty of the 4th of July, 1831.

The *duke de Noailles*, the first orator on the list, thinks that every thing has been said on this question—he votes against the project of law, and reiterates the arguments already victoriously combatted in the chamber of deputies.

M. Guizot, minister of public instruction,

Gentlemen—The noble duke who has just left the tribune, has alluded to what he calls the antecedents of the treaty. He thinks he discovers in the manner in which the negotiation has been conducted, cause of suspicion against the treaty, and yet from these same antecedents, I draw conclusions directly opposite; and first I must remind the chamber that the treaty is not the work of the present ministry, and notwithstanding, the present ministers have not hesitated to adopt it. An offence, afforded to the French government the right to defer the bringing the treaty, before the chambers. Ministers did nothing of the kind, because the government considered the accomplishment of the treaty a want of the country, as a thing necessary to her prosperity, it has supported the treaty as an act of justice, as required by the national interest.

From this is to be inferred that the ministers entertain a profound conviction of the justice, of the necessity of the treaty, and far from discovering in the circumstances which have surrounded the treaty with unfavorable antecedents, I believe that never a more profound conviction could be invoked. It is then under the influence of this favorable presumption, that I proceed to examine the different objections presented by the noble duke.

He has treated the matter first as a question of right, then as a question of political interest, and finally as a question of commercial interest. These are, I believe, the three positions which have been assumed by the noble duke.

The Americans at all times have protested against the violation of the rights of neutral powers. At all times they have opposed the application of the Berlin and Milan decrees. I shall not enter into an examination of these decrees—it is the great question of the continental blockade—it is a question on which the best men have been divided in opinion. I do not mean in America alone, but in France; and it was, I assert, a question of so doubtful a character, even in France, as to render it a proper subject for an arrangement *(une transaction)*.

Notwithstanding the difficulty of the question no arrangement *(transaction)* took place. The Americans abandoned their pretensions and explicitly acknowledged the validity of the decrees of Berlin and Milan, since they were led to reduce their demands to vessels sequestrated in consequence of the irregular application of these same decrees; they have therefore adopted the principles laid down by France.

The question thus reduced, there was ground for liquidation. But we know the danger of such liquidation. It appears to me incorrect to say that the sum has been fixed on demands of the Americans, varying unceasingly and unceasingly augmenting. Here again the advantage remained with France. The negociator admitted categories. The French government made an estimate, no liquidation took place, but an actual arrangement *(transaction)* which had for its basis the French documents alone. I presume I may dispense with an examination of the categories, since the honorable member has not objected to them.

I proceed then to the second question, that of political interest. The political interest of France rendered this arrangement necessary, and I do not deny that it had its influence on the conclusion of the treaty. I admit that political interest did effect, to a certain extent, the determination of the government, but the position in which the government found itself must be taken into consideration, it had just seen broken, dissolved, the great tie of European policy, it saw forming around, groups favorable to a particular system of policy. Under these circumstances it was of importance to ally ourselves with people whose constitutions harmonized with the principle of our government.

It is for this we attach a great importance to the alliance with England. It is for this we ought to desire an alliance with America, an alliance desirable for France, whatever may be the system of policy we follow.

The advantages which may result from it, cannot, I know, be reduced to figures. I therefore shall not attempt it. Political interest induced the government then to show itself favorably inclined to the American claims; we were interested in so doing, for thereby we proclaimed respect and support of the rights of neutrals. The orator then entered into an examination of the right of neutrals and concluded from this examination, that the treaty was necessary in a political point of view, as well as advantageous in a commercial point of view.

The minister then entered into an examination of the treaty for the cession of Louisiana, and observed that the noble duke who had preceded him had fallen into an error in saying that the 8th article of the treaty of cession of Louisiana enabled France to withstand, in all the states of the union, the competition of English commerce. He had not noticed that this treaty was applicable only to French goods imported in French vessels. The calculations, therefore, which the honorable member has presented fall with the basis on which they are founded.

A question of constitutional political right has also been discussed. National honor has been spoken of. Gentlemen, the government of July has not now to give proof of devotion to national honor. Such proofs may be found in the attitude of its army, of its navy.

The government is the offspring of national spirit; its existence, its duration in Europe, these are the best pledge of its dignity. The government can never boast of a more glorious origin. It has now not to give proof of its character, it did this in its cradle. It is perfectly free.

Numerous voices. Good, very good.

This brilliant improvisation made a profound impression on the chamber. The question is settled and the duke de Broglie, in a remarkable speech, in reply to the duke de ... demonstrated ... how honorable it was to France to discharge her debt, and how advantageous to her, at the same time, was the mode of liquidation.

Some other orators were heard and the sitting closed at 6 o'clock.

The chamber of peers will meet to-morrow at 11 o'clock on legislative business.

[This is the latest date—but a report is afloat that the indemnity bill passed on the following day.]

The intervention in the quarrels of Spain is not yet openly decided—but it is believed that the aid required by the queen will be given, both by England and France, and that the "engagements of the quintruple alliance will be religiously observed."

The *London Gazette* contains the following order in council—

At the court at St James', the 10th day of June, 1835.

Present—The king's most excellent majesty in council.

Whereas by an act passed in the 59th year of the reign of his late majesty, king George the third, entitled "an act to prevent the enlisting or engagement of his majesty's subjects to serve in foreign service, and the fitting out or equipping in his majesty's dominions vessels for warlike purposes, without his majesty's license," &c.

His majesty, by and with the advice of his privy council, being desirous of enabling all persons to engage in the military and naval service of her majesty Isabella the second, queen of Spain, is pleased to order, and it is hereby ordered, that from and after the 10th day of this instant month of June, it shall be lawful for every person whomsoever, to enter into the military or naval service of her said majesty as a commissioned or non commissioned officer, or as a private soldier, sailor or marine, and to serve her said majesty in any military, warlike or other operations, either by land or sea, and for that purpose to go to any place or places beyond the seas, and to accept any commission, warrant or other appointment from or under her said majesty, and to enlist or enter himself in such service, and to accept any money, pay or reward for the same.

Provided always, that the license and permission hereby given shall be in force only for the term of two years from the said 10th day of June instant, unless by order in council, made in manner aforesaid, such period should be further extended.

WILLIAM L. BATHURST.

The ship Plutarch, of Liverpool, with a full cargo of Irish passengers, for New York, has been lost, and two hundred and twenty-five persons perished—11 were picked up and brought to Dublin. The passengers were chiefly from the county of Limerick.

LATER NEWS.

London papers of the 16th June.

The London Morning Herald of the 15th says:—"The domestic news given by the Paris papers is highly interesting. The chamber of peers passed the American indemnity treaty bill on Friday last by a large majority (125 against 22), in the shape in which it had been brought up from the chamber of deputies; thus defeating all the speculations that the clause introduced into it in the latter mentioned chamber, on motion of gen. Valaze, and which it was thought would give offence to America, would be omitted.

The young queen of Portugal, it is reported, prefers the duke of Nemours, (a son of the king of France), for her second husband—which is said not to please the English people, or ministry. She personally knows him—having seen him in Paris.—The French king is said to have assented to the project.

On the subject of the intervention in the affairs of Spain, the *Morning Chronicle* says—

"Despatches from Mr. Villiers were on Friday received at the foreign office, which represent the tranquillity of Madrid as remaining undisturbed. Great anxiety was felt in that capital as to the result of the communications which have been made to England and France under the quadruple treaty; but we entertain no doubt that when the decision of the two cabinets shall have been made known—when it shall have been proclaimed that a legion of six thousand auxiliaries is on its way to Malaga from Algiers, and one of ten thousand British volunteers, led by colonel Evans, colonel Hodges, and other distinguished officers, will soon sail, splendidly equipped from England, the national patriotism will be roused throughout the country, and the war probably terminated without farther resistance on the part of Don Carlos, whose position has already become desperate."

Large supplies of arms and munitions of war, and of men are about to embark from Great Britain and Ireland, to assist the queen of Spain.

Nothing important has happened in the British parliament.

THE REPUBLIC OF MEXICO.

The "Charleston Mercury" publishes the following letter, received by a gentleman in that city from his brother in Mexico. The writer is an Englishman, residing there in the lawful pursuit of his business. His relation of the abuses to which he and his wife were subjected at the hands of the brutal soldiery of St. Anna, and of the losses which he encountered in the wanton plunder and destruction of his property, cannot be read without exciting a feeling of strong indignation against the authors of these atrocities. It would appear that American citizens have also suffered in the same manner. Indeed, they have often practised them—and the time is at hand when they will be regulated.

"*Zacatecas, May 26, 1835.*

"You will no doubt hear of the revolution that has taken place here before this reaches you. The congress of Mexico had passed a law to have a standing army in every state, called *Permentes*. This state would not submit to it, having all militia here. About two months ago the governor of this state called out the troops, and had them under arms for six weeks, in all about five thousand men. General St. Anna, with about the same number from Mexico, on the 10th inst. arrived within two leagues of this city. The day before the troops from here went to meet him. At daylight on the 11th, I got out of bed, heard the guns, and people were running in every direction. By the horsemen that made their escape, we were told that the Zacatecas troops were completely defeated and he, St. Anna, was making his way towards the city. We did not think there was any danger as no resistance was made. At 7 o'clock a party of dragoons rode up with their carbines in their hands, crying 'vive gen. St Anna!' We saluted them in the same way, and in a short time St. Anna passed himself and saluted us very politely. All went on very well till the troops in front had to stop, which made the rear guard stop right in front of our house. The low officers and soldiers began to insult us in every shape, crying *Muerte Tudo Los Ingles, &c.* In a few minutes they began to fire at our house headed by an officer, when they found that we retreated to make our escape at the back door which led in another street, when we arrived there we found soldiers also firing. We retreated to the inside of the house, they soon made their way through the back door, they fired two shots at my partner but missed him, and one came at him with his sword, he then jumped a high wall into another house and sprained both ankles and had to lay all day in the yard. They then proceeded to the kitchen and shot an American by the name of *Henry Furey*, a native of Pennsylvania. He had worked for me better than a year, and was a very harmless man. Three or four more foreigners were in the kitchen when he was shot, but none had any arms. One of them gave the soldiers all the money he had about him; they then proceeded to our front room where myself and wife were. I went on the balcony, by this time the firing in front had ceased. I saw general *Arrago*, a Frenchman, looking up; he asked me why I did not open my door, I told him there were soldiers firing inside. He then despatched an officer to the back part of the house. By this time the soldiers were in our room pointing their carbines at me. I told them to take what they could find and not to hurt us; they said do not be afraid; just as they had said so the officer came behind them and beat them with his sword and drove them out of the house. I then opened the front door, and the officer told me to move out of the house as there were more troops coming up; so I took my wife over to a house on the opposite side of the street; they saw us go across, and when they came up an officer asked who it was that went into the house; he with some soldiers came in, beat us with his sword and drove us into the ranks. We were then marched up as prisoners to the public square, insulted and abused by the soldiers. I spoke to an officer who gave my wife liberty to return. On going to our house she was insulted, and on entering it found soldiers and their wives plundering us of every thing we possessed; they ran at her to kill her, she made her escape by the back door and was met by a party of soldiers and their wives that had been plundering. They tore all her clothes off, beat her in the head and abused her like brutes. After a while I got my liberty and came to the house. I found my wife in it with nothing on but her under dress and the house robbed of every thing that was moveable. I am left without a shirt to shift, or a bed to sleep on, or a tool to work with; we had about $1,300 worth of furniture that would have been finished in eight days—the greater part of which was carried away or torn to pieces. I made a representation of my case to St. Anna, but he said he had nothing to do with such affairs, to apply to the commandant general. I did so, his answer was if I knew the persons he would bring them to justice if they were in the state. Last mail I sent a representation to Mr. *Pakenham*, our minister in Mexico, of my case. Three or four English houses have suffered the same as mine, and have all made representations to the minister; if he does not do any thing about this affair, a minister is of no use. Our loss is about $3,000. A few Americans have suffered losses and have also made representations."

—

Vera Cruz, June 22d, 1835.

To the editors of the N. Y. Courier and Enquirer:

Gentlemen—I avail myself of the departure of the Elbe to inform you that the attack of Santa Anna on the state of Zacatecas, was completely successful. The sovereignty of that state has been destroyed, and it is now in the full enjoyment of all the privileges and immunities of a military government, directed adroitly by the priesthood. The torch of rational liberty is extinguished in the republic, save in the petty and insignificant state of Chiapas, whose worthy governor is yet making a manly resistance to the encroachments of arbitrary power. Since the downfall of Zacatecas, all the principal cities and villages of the interior have pronounced for centralism. They have been goaded into this expression of feeling by the milita-

ry arm, which acts under the direction of the friars and priesthood. This city has not yet followed the example of her more powerful neighbors; it is thought the citizens want the gentle stimulus of bayonets in order to arouse them to a proper sense of the important advantages that will result to them by destroying the present system of government, and substituting a central government or a monarchy—the latter is the most probable.

The excesses committed by the victor Santa Anna and his troops in Zacatecas and vicinity, are without a parallel in the history of civilized nations. It appears that all strangers were exposed to their diabolical rage: the only American in the place was basely assassinated in presence of his wife, who was afterwards stabbed to the heart, stripped of her clothing and thrown exposed into the street. The English residents at the mines were robbed, their property wantonly destroyed, and some murdered and all menaced with extermination. The English minister has made a peremptory demand for indemnity to his majesty's subjects for the injuries done to their property, which he will doubtless obtain. We have no minister at this court to make a similar demand for the injuries done our citizens, and if made by our late charge des affairs, it would doubtless be unavailing, as in all previous ones. The impropriety with which the authorities of this country have outraged both the persons and property of our citizens, renders them peculiarly obnoxious to future abuse from the authorities during their civil commotions, of which the country has been abundantly prolific for the last ten years.

The immortal, the omnipotent Santa Anna, the singular hero of America, the Napoleon of this continent, (all terms of modest praise which the clergy of this country have bestowed on their favorite), was to have made his triumphal entry yesterday into the capitol; the majesty and splendor of the scene will doubtless have rivalled that of Pompey's into Rome, and eclipsed every thing of the kind on this continent.

DINNER TO MR. LIVINGSTON, AT NEW YORK.

Mr. Lawrence, the mayor, presided; and in the course of the dinner gave the following toast, which he prefaced with some very complimentary remarks to the distinguished guest.

Edward Livingston—As a patriot and statesman he belongs to America; as a jurist and philosopher to the world. His exposition of the 25th April embodies the sentiments of his countrymen, and stands as a text book for American diplomatists.

When the cheering had subsided, Mr. *Livingston* thus replied—

I had arranged some phrases which I thought might suit the occasion. But they are driven from my mind by the impulse which the scene around me most naturally produces. I find them tame, flat, powerless, to express the feelings by which I am excited—agitated—almost overpowered.

Gentlemen—I did not expect this—I returned without having attained final success in my mission. I returned with the satisfactory, but humble consciousness, of having done my duty; and I anticipated no other pleasure on my return than the greetings of personal friends, and that exquisite sensation which one who loves his country feels, when, after a long absence, his foot presses his native shore. Such of you, gentlemen, as have been abroad will understand this. But all of you must join me in lamenting, that the poverty of our language has no other word than the vague one of *country* to express the relation between it and its citizens. We have no derivative from the *patria* of the Romans, and have not adopted the *Faderland* of our Saxon ancestors. Nothing can be more appropriate to express the feeling, nothing more resembles filial duty and affection, than the obligation we owe to our native land, or the attachment which binds us by voluntary ties to the country of our adoption. But if we have not the word in our language, we have the sentiment in our hearts. Properly cultivated, it will teach us, not only to support our country on occasions like the present, when it can appeal to all nations for the uniform moderation and justice of its course, but with the pious sons of the patriarch, to veil even the occasional excesses of our common parent from the eyes of the world; not like their degenerate, unnatural brother, to exaggerate and expose them to derision—to conceal, not to discover, the nakedness of the land, to glory in its honor, to lament its misfortunes, to espouse its cause as our own, and identify ourselves with it in its prosperous or adverse fortune. This is patriotism, this is true love of country, and as it is common to all who hear me, I may be permitted to say, that it guided me in my conduct, cheered me during the difficulties of my mission, and that I looked to the consciousness of its having animated me for my best reward.

I repeat, gentlemen, that I did not expect the reception I have met with. But I should be guilty of an absurd affectation if I attempted to conceal the heartfelt pleasure it has given me. I thank you for myself. I thank you more for my country, for I have not the vanity to believe that any merit of mine could excite the enthusiastic demonstrations that have been made, and my feelings of personal gratification were lost in the higher enjoyment of national pride, when amid the shouts that greeted my arrival—the first words I could distinguish were those which reprobated any unworthy concession. Never within my recollection, in the course of a long political life, has public sentiment, on any question, been so strongly expressed—expressed as it should be, calmly but with energy, without bluster, without violence, in the language of high minded men, who appreciate their own character, and the dignity of their country. In a settled determination to suffer no degrading interference with our legislative councils, all party feelings seem forgotten, and the assurance I gave to the French government on my departure, that every attempt of this nature would be repelled by the undivided energies of the nation, seem nobly confirmed. (Loud cheers.)

This intimation would have been unnecessary, if the character of our country had been known and appreciated. But I am sorry to say that two opposite parties in France seemed to vie with each other in inventing calumnies to degrade our national character—and the tribunes of the chamber of deputies from day to day resounded with the vilest terms of reproach applied to our merchants, who were represented as fraudulent adventurers; to our government, as endeavoring, by the most infamous arts, to support their unfounded claims. Not the least mortifying circumstance, as was sarcastically but truly observed by one of the ministers, was, that those who made these charges were supported by the votes and encouraged by the applause of the republican party, and among them by many of the friends of Lafayette. (Cries of shame.)

The great Montesquieu has said, that honor is the principle of monarchical governments. One description of the men of whom I speak seem to have considered that this was the grant of an exclusive right, and like other monopolists they claimed the right not only to fix their own price on the article, which in this case they valued at 25,000,000 francs, but also to adulterate it, and stamp *national dignity* on the labels affixed to their spurious merchandise. (Cheers.)

Gentlemen, I must not be misunderstood. I speak of an opposition composed of the most heterogeneous materials—ultra royalists, ultra liberals, republicans and other malcontents, who have united on using the most untiring efforts to break the faith of the nation, solemnly pledged, and embroil two countries having every motive of interest and honor to unite, and not one to divide them. I do not speak of the administration nor of the king. On the contrary, I seize this public occasion to declare that I never doubted the sincere desire of his majesty faithfully to perform the treaty he had made, and to preserve the most amicable relations with the United States, and that if he had been seconded by all his ministers with the same zeal which distinguished the minister for foreign affairs, the rejection of 1834 would not have taken place. Indeed, one of them candidly avowed in the last debate that he had not used all the efforts he intended to have done, and which, from his known influence and ability would have insured complete success. From that time to the arrival of the president's message, I still did justice to the desires of the administration to fulfil the treaty, although I could not but be dissatisfied with the non-performance of M. Serrurier's promise, (according to our construction which I always considered as the true one) and had reason, as I thought, to complain that no assurance would be given of making it a cabinet question. After that period I take pleasure in bearing witness to the diligence and activity which were shown in preparing the documents to demonstrate the justice of our claims, the talent and eloquence with which the treaty was supported, and the ungenerous imputations on our country repelled, by the ministers.

This adhesion to the amendment of general Valaze astonished and grieved me. I strove to counteract its effects by the note, gentlemen, which you have seen, and which since its approval by the president, I still hope may remove this difficulty. Should this fail—should one word of additional explanation be required—the good intelligence between the two countries is at once interrupted, perhaps destroyed. The voice of this country, thank God, is decided on that subject. (Cheers.) The dignity of the country must, at all hazards, be preserved. The great scourges of nations are succeeded generally by the remedies which a benignant Providence has ordained for them. Peace effaces the ravages of war—nature repairs the destruction of pestilence, and years of abundance console us for the privations of famine: but the prostrated dignity of a country can never be restored.

"The wounds of honor (says the poet), never close"—or if they should be cicatrized, they remain an opprobrious stigma on the body politic forever. Let us take care, then, that no such brand of infamy be affixed to the character of our country, to make our posterity blush for the subserviency of their fathers. (Enthusiastic cheers.)

I give you gentlemen,

National honor—Received untarnished from our ancestors—it must be transmitted to our posterity without a spot.

On which the N. Y. *American* observes—

So far as this dinner was intended as a party demonstration, it was, we understand, quite successful—the faithful who *are* in, and those who *expect* to be in, office, attending in full numbers.

So far as it was meant to pass, at home, for a compliment from his fellow citizens at large, or to produce the impression abroad, that all parties united in it, this festival was, of course, a failure. Therein we think the party managers sinned alike against good policy and good taste—for it is quite certain—such is the general satisfaction with Mr. Livingston's course, as minister in France, and especially, with his last letter—that all sides would have cheerfully united in the compliment to him—an occurrence that, of course, would personally have been more gratifying, and for national effect abroad, greatly more striking. Party considerations, however, prevailed; though

not, we are persuaded, with the concurrence or approbation of Mr. Livingston.

In the details of the dinner, the greater part of our readers can feel little interest. The sentiments of Mr. Livingston, however, not expressed on such an occasion without due reflection, are entitled to attention, and hence, we have copied the report of his speech.

MR. POINDEXTER—AT LEXINGTON, KY.

The following is the reply of this gentleman to the letter of invitation to him to partake of a public dinner at Lexington, Ky. on his recent visit to that place.

Lexington Hotel, July 7, 1835.

GENTLEMEN: I have had the honor to receive your friendly communication of this date, inviting me in the name of the citizens of Lexington, to partake with them of a public dinner "on any day which I may appoint," as a manifestation of their personal respect, and their approbation of my services, in the councils of the nation.

I accept with great pleasure your kind invitation, and beg leave to mention Saturday next, the 11th inst. as the day on which I can conveniently meet my fellow citizens of Lexington, and partake of their proffered hospitality.

The circumstances under which you have conferred on me this unexpected mark of distinction, demonstrate the disinterested motives, by which you are actuated on the occasion, and demand from me a return of the most grateful acknowledgments.

My connection with the administration of the government as a member of one of its branches, terminated with the close of the last session of congress. I am now a private citizen, of the state which has heretofore honored me, with the high trust of representing its sovereignty and interests in the senate of the union, and as such I can have no claims to your consideration, which are not founded on a candid and impartial review of my public acts, during the alarming and interesting crisis into which the country has been thrown, by the bold advances of arbitrary power, threatening the overthrow of the great principles of constitutional liberty.

The very flattering allusion which you have been pleased to make, to my humble endeavors to maintain and perpetuate the free constitution which was handed down to us by the patriots of the revolution, cannot be too highly appreciated by me, whether I regard the cause with which I have been identified, or the enlightened source from which these sentiments emanate.

It is true as you have intimated, that in the faithful and independent discharge of the important duties confided to me, I have been compelled to encounter the bitter denunciations of a *junto*, not more remarkable for its corrupt practices, than for the success of its treacherous efforts to deceive and impose on the credulity of a virtuous, but a confiding people; it is equally true that I have, in the progress of my political career, met the "terrible vengeance of the chieftain," whose unlimited sway over the liberties of the people I have to the utmost of my poor ability resisted; and if in this unequal contest it has been my good fortune to "hurl back the bolt" on him who sped it, I owe the result to a superintending Providence—to the justice of the cause in the support of which I had embarked, and to the magnanimity of that portion of my countrymen, who have not yet forgotten what is due to the American name, and to the moral feelings of a nation of freemen.

I pray you, gentlemen, to accept for yourselves, and convey to my fellow citizens of Lexington, assurances of my best wishes and friendly salutations. GEO. POINDEXTER.

To *Robert Wickliffe, G. W. Anderson, Jno. H. Robb, Wm. S. James, H. Daniel, Jas. E. Davis, Leslie Combs, Charlton Hunt, Edwin Briant, R. S. Todd, Leonard Wheeler* and *R. H. Chinn, esqrs.* committee, &c.

The following account of the dinner is from the Lexington Intelligencer—

The following was the fifth regular toast:—

Our guest, the hon. Geo. Poindexter—The patriot and statesman. Once high on the list of executive favor—he is now pursued by the blood hounds of the palace. His fate is that of every patriot who has had firmness to throw himself in the breach to check the career of executive corruption and usurpation.

After this toast and the long continued and heavy applause which its annunciation excited, says the Intelligencer, senator Poindexter rose and tendered his acknowledgments for the honor done him on this occasion, and for the sentiment just pronounced. His remarks were continued for an hour and a half, in which, without descending to notice the recent wrongs which he had suffered at the reckless hands of a dictatorial executive and his subservient minions, he laid before the company, with a master mind, the corrupt and corrupting tendencies of the claims to unlimited power over all the branches of the government, which, though not distinctly and in all their hideous deformity *asserted* by president Jackson in words, are *practically enforced*, to the utter subversion of the principles of constitutional liberty, for which our revolutionary fathers fought and bled, and the certain enjoyment of which the illustrious framers of our fundamental law intended to secure against all encroachment, in that memorable monument of the highest human wisdom, the FEDERAL CONSTITUTION.

On concluding his speech, Mr. Poindexter gave the following sentiment:—

The memory of Isaac Shelby—May the laurels of King's Mountain and the Thames, won by his valor, grow and flourish, an evergreen o'er his tomb, watered by the tears of a grateful people.

Mr. CLAY, and many other distinguished gentlemen were present. The following are some of the regular toasts:—

The senate of the United States. The last hope of American freemen against the corrupt influence of a reckless executive. Opposed by those only who cannot expect undeserved favors at its hands, it will go down to posterity as one of the proudest monuments of the prudence, vigilance and wisdom of our ancestors.—*Washington's March.*

John C Calhoun. A patriot without disguise, and a statesman without fear.—*Bonnets O' Blue.*

The Virginia and Kentucky resolutions of '98. Rightly construed, they will be regarded as containing the true principles of our government, when their revilers shall have been forgotten with the party spirit which called them into existence.—*The White Cockade.*

Daniel Webster. "Liberty and union, now and forever, one and inseparable." (Great applause).—*Yankee Doodle.*

The spoils of victory—"Have blessed the accursed, made the hoar leprosy adored, placed thieves, and given them titles, knee and approbation high as senators."—*Clar de Kitchen.*

Our fellow citizen Henry Clay. Persecuted, slandered and abused by the minions of power; he has pursued the even tenor of his way, with an eye steadily fixed on the good of his country, and the happiness of his people. His name finds a responding throb of gratitude in the heart of the votaries of liberty in every clime. (Three cheers).—*Scots wha' hae' wi' Wallace bled.*

This sentiment was greeted by the company with the most marked evidences of heartfelt approbation, the cheering being long continued and loud. After the plaudits with which it was received, had ceased,

Mr. *Clay* rose to return his thanks, and to make his grateful acknowledgments for the unexpected and unanticipated expression just made of friendly feelings towards him. He had received many proofs of the attachment and approbation of the friends and neighbors by whom he was surrounded, and he felt most happy to find that he still enjoyed their warm regard, sympathy and confidence. But highly acceptable and consoling as was this testimony, he came here, by their invitation, to unite with them in conferring merited honor on the distinguished guest for whom this entertainment was given.

You have this day (said Mr. *Clay*) witnessed the ability and eloquence with which he exposes the alarming inroads of executive power, and vindicates the constitution. On another theatre, the floor of the senate of the United States, where few if any of you have heard him, I can with truth, as I do with pleasure, bear testimony to the undaunted firmness, ability and zeal which he has displayed in the same cause. In the recent great contest, in which the senate has been the sole barrier against the daring encroachments of the executive, he has stood in the front rank among those who have struggled to preserve the balances of the constitution, and to maintain unimpaired public liberty. I wish that that contest had successfully terminated, but it is still in progress, and the question remains to be decided whether the will of one man, in all public measures, is to have unquestioned and unbounded sway, or we shall continue to have a carefully balanced and cautiously regulated government. What departments, what branch of the government, (the senate excepted), what institution of the general government is there, into which executive power or influence has not insinuated itself, to destroy or render it subservient to executive pleasure? The late house of representatives was a mere registry of executive edicts, totally destitute of all independence, conniving at abuses and exhibiting spectacles of disorder, which would have been disgraceful to any primary assembly of people. The senate has indeed hitherto stood erect; but it has not escaped the contemptuous treatment of the executive; and its constitutional share in appointments has been frequently disregarded and trampled upon. The authority of the supreme court has been despised and contemned; principles have been avowed by the executive which, if practically acted upon, place the execution of all its decisions at his pleasure. The only institution that the wisdom of congress has hitherto been able to establish to supply a safe general currency, in which I agree with your distinguished guest in thinking that the valley of the Mississippi, more than any other quarter of the union, is deeply interested, has been overturned and prostrated. In lieu of it, the people have to rely upon the paper of a countless number of local institutions! multiplied daily, acting without concert, tending inevitably to general disorder and ending in a common explosion! But I will not dwell on, or enlarge this frightful picture, although materials are amply supplied by the present administration, to give it greater extent and deeper coloring.

The senate has been the sole, if not the last, refuge of the constitution and of the public liberty. Whether it will be able much longer to impede the march of the executive to despotic power, remains to be developed. It is with deep mortification and regret that I am compelled to own, that it has not been sustained by the people, throughout the union, as its patriotic efforts and aims deserved. But here, at least, in our own state, its motives and labors have been justly appreciated. And I sincerely hope that, whatever discouragements elsewhere may exist, however gloomy for the moment the prospects of civil liberty may seem to be, Kentucky, whilst a shot remains in the locker, or she has a single gallant son left, will never strike the

whig flag, but, if she stand alone, will faithfully and to the last adhere to her principles. (Great and long continued cheering.)

The president is not satisfied with the undisputed and general sway which he has acquired. Like the monarchs and emperors and despots, whose story history tells, he is desirous, whilst he is yet in office, in the full possession of all his power and means of influence, to name his successor; and, under forms and veils which the feeblest vision can penetrate, has designated his successor. Is there any substantial difference between the hereditary principle and the practice, if it is to be sanctioned, of the existing presidential incumbent nominating his successor? Can it be doubted that, if the president's bed had been fruitful instead of barren, the same means which are now employed, with his concurrence and approbation, to insure the election of his favorite, would have been directed to the elevation of his own son?

With respect to the gentleman who has been thus designated, I feel myself most reluctantly called upon, and this appears to me a fit occasion, to say a few words. The public press, private letters and other evidences have reached me, of opinions and preferences being ascribed to me by his friends or partisans, so as to create, I think, a duty on my part, to undeceive the public. My personal relations with the vice president, before and since he came into office, have been those of civility and courtesy; but they have never for a moment affected my judgment as to the propriety of his election as chief magistrate. In no aspect of the contest, in no conceivable contingency, in no imaginable alternative, do I think it would be for the interests or honor of the people of the United States to elevate him to that office. Without stopping to insist upon objections to him from the exceptionable system of party tactics which prevails in his own state, and which, in the event of his success, he would endeavor to spread over the whole union; from the means of and the manner by which he has been so far advanced; from my utter inability to comprehend what his principles now are, in reference to great measures of national policy, there is one objection to him which, in my mind, is absolutely conclusive. *He is the nominated candidate of the president and the official corps*, and sought to be forced upon the people by all the weight of the administration. If he were the most pure and perfect of all American statesmen, this single objection would, in my opinion, be absolutely decisive against him. And I must have been false to every principle which has guided my public life, and faithless in my devotion to civil liberty, if I could have entertained an opinion that under such circumstances, the vice president should be preferred to any candidate. (Throughout the delivery of these sentiments Mr. Clay was repeatedly interrupted by animated bursts of applause and cheering.)

These expressions have been forced from me. I wished to have enjoyed repose, without taking any part in the presidential question; but opinions having been often erroneously attributed to me, on that subject, I have not been left at liberty to remain silent. Humble and without influence as my name purposes, I hope this is the last and only occasion in which it may be necessary for me publicly to say any thing respecting the contest. Whilst I entertain decided preferences, I do not intend to make myself a partisan of any candidate. This resolution is due to my friends, to the relations in which I have stood to them, and to my own character. Leaving the people free to make their own unbiassed choice, I shall, as one of them, at the proper time exercise my right of suffrage in such manner, as under all circumstances, shall appear to me best calculated to secure the honor, the interests and the liberties of my country.

I rose for the purpose of returning you, Mr. President and gentlemen, my cordial and respectful thanks for the sentiment with which you have honored me. I hope the digression in which I have indulged will be excused; and that you will, in conclusion, allow me to offer to your acceptance the sentiment—

Executive power—It must be checked, and restrained within constitutional limits, or American liberty will find a speedy grave.

[Mr. *Poindexter's* speech, we presume, will be published hereafter; and shall have a speedy insertion.]

MR. WHITTLESEY'S SPEECH.

From the Western Reserve Chronicle.

The 59th anniversary of our national independence was celebrated in the village of Ashtabula. An oration was pronounced by R. W. Griswold, esq. and rising of two hundred citizens partook of a dinner, prepared for the occasion, with its usual concomitants, wine and *toasts*. Mr. Whittlesey, our representative in congress, was an invited guest. Among the regular toasts was the following:

"*Our respected guest—the honorable Elisha Whittlesey*—For his talents, fidelity and persevering industry for the promotion of our interests, he deserves, as he now receives, our warmest thanks—our most cordial approbation."

To which Mr. Whittlesey replied in a neat and appropriate address, which appears in the Sentinel; from which, not having room for the whole this week, we make the following extract:

"Mr. W. said, he would notice one incident, that might not be generally known, and which, to his mind, added much to the interest each felt in celebrating this day, in this country. He referred to the fact that this national anniversary was first celebrated on the Reserve, in what is now known as the county of Ashtabula. This was as early as 1796. It was known to most, if not all the company present, that the Connecticut Land company sent out a suitable number of surveyors and hands to explore and survey the lands owned by that company, in the year last mentioned. This corps, as was usual at that time, when heavy baggage was to be transported to the west, proceeded to Schenectady, and having procured boats, ascended the Mohawk, and arrived at Lake Ontario by the mouth of Oswego. They then pushed their boats up, or sailed by the margin of the lake; entered the Niagara river, proceeded to the portage, over which their boats were hauled by the British, then in possession of both sides of the Niagara. By the treaty of peace, the British were to withdraw their troops from our territory. In violation of this treaty, they held possession of the western posts, and although they had renewedly engaged to surrender them, by Mr. Jay's treaty in 1794, they had a garrison at Oswego, when the party mentioned, arrived there in June 1796. Some tribute, or condition was demanded, which the party under the superintendence of Moses Cleaveland, refused to give or accede to. Notice was accordingly given that the boats should not pass the garrison. The party not being of a military character, resolved to pass it by stealth; and effected their purpose in a dark night, without any other loss than the wrecking of a boat. Having entered Lake Erie, they coasted up its southern shore until they passed the Pennsylvania line, and effected a landing at Conneaut on the 4th of July, and celebrated the birth day of the nation. In what style, he was not able to state. He could safely say, they were deprived of all the luxuries, and most of the necessaries of food, which had been so bountifully provided for the present company; that no sparkling wine exhilerated their spirits, and that they were far removed from *their* female friends and connections, while *ours*, meeting with us, increased the interest of the celebration."

TO THE MEMORY OF JUDGE MARSHALL.

AT BOSTON.

On Tuesday, a meeting of the members of the Suffolk bar was held, at 1 o'clock, at the supreme court room, in Boston, to take into consideration by what measures they shall show their respect to the memory of chief justice Marshall. *James T. Austin* presided. Hon. *Daniel Webster* addressed the meeting for about twenty minutes, in a very eloquent manner, upon the public and professional character of chief justice Marshall, and concluded by offering the following resolutions, which were seconded by hon. *Samuel Hubbard*, and unanimously adopted:

Resolved, That the members of the Suffolk bar are profoundly impressed with the loss which the profession and the country have sustained in the death of hon. John Marshall, chief justice of the supreme court of the United States.

Resolved, That we hold in the highest veneration the illustrious character of the deceased, and his eminent public services in the interpretation of the constitution and laws, by which he has given a stability and strength to the government of the union, and identified his name with the jurisprudence of the country.

Resolved, That an address be delivered to the bar on the life and professional character of the deceased chief justice; and that our professional brethren in the state of Massachusetts and in other states adjacent thereto, be, and they are hereby invited to attend by themselves or their delegates at the delivery thereof.

Resolved, That the standing committee of the Suffolk bar be charged with the duty of inviting some member of the profession to deliver the said address, to appoint the time and place, and make all such arrangements therefor as they shall think proper.

Resolved, That the president of this bar, in behalf of the bar, do move the circuit court of the United States for the first circuit, on the next day of its session in Boston, that these proceedings be entered among the minutes of that court.

Resolved, That these resolutions be entered on the records of the Suffolk bar, and published in the newspapers of the city of Boston.

JAMES T. AUSTIN,
president of the Suffolk bar.

EDWARD BLAKE, *secretary.*

From the Boston Atlas.

Circuit court. At a meeting of the members of the bar of this county, held yesterday in the above court, present judges *Story* and *Davis*, attorney general *Austin* moved the court that the resolutions passed the preceding day, relative to the lamented decease of chief justice *Marshall*, be entered upon the records of the Suffolk bar.

Mr. Justice *Story* said the court received these resolutions with great sensibility, and took much pleasure in complying with the request of the bar. This was not the place to pronounce an eulogium, yet it was impossible for one who had enjoyed the intercourse with chief justice *Marshall* that he had, not to say a few words on an occasion like the present. A great man had indeed fallen; not a great man of our age or of any age, but of all ages and all countries: a man whose character would for ever shed lustre on the American name. His exalted genius, his consistency of character, his patience of thought and attention, his bland and gentle and courteous manner formed a combination of qualities as rare as they were striking. The best tribute that could be paid to him was, that there was not one of his associates in his judicial duties, who had not repeatedly declared, that the late chief justice rose higher in his estimation in proportion as he became better acquainted with him. With most great men it was the reverse; they looked best at a distance.

not, we are persuaded, with the concurrence or approbation of Mr. Livingston.

In the details of the dinner, the greater part of our readers can feel little interest. The sentiments of Mr. Livingston, however, not expressed on such an occasion without due reflection, are entitled to attention, and hence, we have copied the report of his speech.

MR. POINDEXTER—AT LEXINGTON, KY.

The following is the reply of this gentleman to the letter of invitation to him to partake of a public dinner at Lexington, Ky. on his recent visit to that place.

Lexington Hotel, July 7, 1835.

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The senate has been the sole, if not the last, refuge of the constitution and of the public liberty. Whether it will be able much longer to impede the march of the executive to despotic power, remains to be developed. It is with deep mortification and regret that I am compelled to own, that it has not been sustained by the people, throughout the union, as its patriotic efforts and aims deserved. But here, at least, in our own state, its motives and labors have been justly appreciated. And I sincerely hope that, whatever discouragements elsewhere may exist, however gloomy for the moment the prospects of civil liberty may seem to be, Kentucky, whilst a shot remains in the locker, or she has a single gallant son left, will never strike the

of that portion of the Wabash and Erie canal which lies within her limits, the completion of which is so important to Indiana; but the progress of those works has been checked by the delay of congress in establishing the northern boundary. Nor is this surprising. The construction of these works will make the Maumee bay the depot of an immense trade, and in the course of the next quarter of a century the banks of this bay, throughout its whole length, must be lined with villages and cities, embodying a vast amount of population and wealth. Now when it is remembered that this concentration of business and capital will take place as the effect of the enterprise and the public spirit of Ohio, is it unreasonable that she should ask congress to confirm her title to the bay? Under existing circumstances it cannot be expected that she will feel much interest in the speedy completion of these canals; and thus the interests of the whole country, but particularly of Indiana, are seriously affected.

"The lakes, it is well known, must form the channels of commerce of the states lying south of them, and the bays and harbors on the lakes are the points of deposite and transhipment of this commerce. That each state should, if practicable, have jurisdiction of the particular bay or harbor, where its trade will naturally concentrate, is a proposition which needs only to be stated to command universal assent.

"Congress, influenced doubtless by considerations similar to these, and not questioning their power to do so, did extend the states of Indiana and Illinois further north than the point named in the ordinance. Why should not that body, upon the same principle, give the Maumee bay to Ohio, agreeably to the provisions of her constitution? The delay of congress in settling this question is unaccountable, as it is blighting to the prosperity of Ohio and Indiana. The whole subject is within the power of congress. That body cannot fail to perceive the expediency of dividing, as far as practicable, the lake privileges between the several states formed and to be formed in the north west territory, so that our channels of commerce may not be obstructed by state lines. Certainly this argument cannot be disregarded by the friends of internal improvement—by those who look to those great channels of commercial intercourse as the strongest bonds which can operate to strengthen and perpetuate our happy union."

ANOTHER BORDER FEUD.

From the New Hampshire Statesman, July 18.

We have recently received a communication from a highly respectable and intelligent gentleman, residing at Stewartstown, the substance of which may not be uninteresting to the people of this state. It should be understood that Indian Stream has always been considered, and in fact has been, within the jurisdiction of New Hampshire. The inhabitants have been numbered with our population, and the resident officers have acted under authority of this government. The British claim to have purchased the jurisdiction, however, or to have obtained it through the late negotiations on the subject of the north east boundary, and the territory is now similarly situated to that of Madawaska, in Maine. Their settlement was, on petition of its inhabitants, classed with some one or more of the towns in this state, for the choice of a representative to our legislature, *at the last session*. The following is an extract of the communication referred to, dated

"*Saturday, July 4th.*

"On Sunday last, Mr. Luther Parker, of Indian Stream, by assumed authority from the province of Lower Canada, was arrested on a charge of having furnished a neighbor of his, Mr. Sampson Thurston, with weapons of defence, with an intent to resist the laws of Indian Stream, since which, for that offence, he has been lodged in Sherbrooke jail, to await his trial in October next.

"For the further information of the public, it may not be improper to add, that the inhabitants of Indian Stream, with the exception of Mr. Parker, and a few others, have zealously contended for laws of their own make, and by which they attempted to arrest the body of Mr. Thurston, who, with no less zeal, contended that that place was within the jurisdiction of the state of New Hampshire; but he being well armed, defeated their design. After this repulse, application was made to a magistrate of the province of Lower Canada, for assistance, who issued a warrant against Mr. Parker, as before stated, and one against Mr. Thurston, but he has not been arrested, in consequence of his leaving the place. The person who acted as sheriff in the affair, and also those who assisted him, reside at Indian Stream, and are in open rebellion to the laws of New Hampshire. How long shall affairs thus remain?"

CLOSING SCENE IN THE N. CAROLINA CONVENTION.

The closing scene in the convention was impressive. Judge *Gaston* moved a vote of thanks to the president, Mr. *Macon*, in the following terms:

Gov. Swain being temporarily in the chair,

Judge Gaston said, that before the convention performed the last act which it had to do, he would call up the resolution that he yesterday laid on the table. He said, I am about to offer to the convention a resolution on which I know I shall meet with perfect unanimity. However we may have been divided on other subjects, in returning our acknowledgments to our venerable president, for the able manner in which he has presided over this body, there will be no difference of opinion. The following resolution was then read:

Resolved unanimously, That the thanks of this convention are due, and are hereby respectfully and affectionately tendered to the honorable NATHANIEL MACON, their venerable president, for the distinguished ability, dignity and impartiality, with which he has discharged the duties of his station.

The resolution being read, Mr. Carson, of Burke, instantly rose and expressed a hope, that this mark of well-deserved respect to their venerable friend, for probably the last public act of his life, would be testified by the members of the convention standing. The word was no sooner spoken, than every man in the convention was on his feet.

The president who had resumed his chair, addressed the members of the convention as follows:

"Gentlemen: The merits which you have ascribed to me in the performance of my duty in the chair, belong to you. I have been for a long time engaged in public business, and, though no one will charge me with being a flatterer, I must say that I have never witnessed so much good order and decorum of conduct in any public body with which I have been connected. When I entered upon the important duties to which the convention in their kindness called me, I was fearful that I should not have been able to discharge them with any satisfaction to myself or to the convention, nor should I without your attentive aid and assistance. To you, therefore, my thanks are due for all your kindness.

"This, I expect, will be the last scene of my public life. We are about to separate; and it is my fervent prayer that you may each of you reach home in safety, and have a happy meeting with your families and friends, and that your days may be long, honorable and happy.

"While my life is spared, if any of you should pass through the county in which I live, I shall be glad to see you."

On the president's resuming his seat, and the applauses of the convention having ceased,

Mr. Carson, of Burke, rose and said that the concluding remark of the venerable president had called him up to say, "that he was about to leave old North Carolina, to reside in the far west, where he should be happy at all times to see any friend from the old state—to be a North Carolinian would be a sufficient recommendation to his house and corn crib, which should be at the service of his friends."

Judge Gaston, from the committee of enrolment, reported the amendments to the constitution, correctly enrolled on parchment, which received the signatures of the president, principal secretary and assistant secretary.

The president then informed the convention that the business of the convention was finished. On motion of Judge Gaston, the convention adjourned *sine die*.

The constitution as amended contains the following clause—The house of commons shall be composed of 120 representatives annually chosen by ballot, to be elected by counties according to their federal population, that is, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.

INDIAN CESSIONS.

From the Globe.

We have been requested to make a statement, showing the extent and value of the lands acquired by this administration. A friend has looked over the treaties, and made the following abstract, which shows the *quantity* of land; but the *value* cannot be ascertained. At the minimum government price, it would amount to $90,413,645 25.

Statement showing the quantity of lands ceded to the United States by the Indians, since the 4th of March, 1829.

	Quantity in acres.
1829, Aug. 1. Treaty at Prairie du Chien, with the Winnebagoes,	2,530,000
1829, July 29. Treaty at Prairie du Chien, with the Chippewa, Ottawa and Pottawatimies,	4,160,000
1829. Aug. 3. Treaty at Little Sandusky, with Delawares,	5,760
1830, Sept. 27. Treaty at Dancing Rabbit Creek, with the Choctaws,	7,796,000
1830, July 15. Treaty at Prairie du Chien, with Sacs, Foxes, Sioux and Missouries.	16,256,000
1831, Feb. 28. Treaty at Washington, with Senecas,	40,000
1832, March 24. Treaty at Washington, with Creeks,	5,128,000
1831, July 20. Treaty at Lewistown, with Senecas and Shawnees,	39,680
1831, Aug. 8. Treaty at Wapaughkoneta, with Shawnees,	99,800
1831, Aug. 30. Treaty at Miami of the Lake, with the Ottawas,	49,917
1832, Jan. 19. Treaty at McCutcheonville, with the Wyandots,	16,000
1831, Feb. 8. Treaty at Washington, with the Menomonees,	2,500,000
1831, Feb. 8. Treaty by same, for use of New York Indians,	500,000
1832, Oct. 20. Treaty at Tippecanoe river, with the Pottawatimies of the Prairie and Kankakees,	1,[illegible]

1832, Oct. 26. Treaty at Tippecanoe river, with the Pottawatimies,	2,626,560
1832, Oct. 27. Treaty at same place, with Pottawatimies of Indiana,	737,000
1832, Oct. 27. Treaty at Castor Hill, with Kaskaskia and Peorias,	1,920
1832, Sept. 15. Treaty at Fort Armstrong, with Winnebagoes,	2,816,000
1832, Oct. 11. Treaty at Tallahasse, with Apalachicolas,	5,120
1832, Oct. 24. Treaty at Castor Hill, with Kickapoos,	2,048,000
1832, Sept. 21. Treaty at Fort Armstrong, with Sac and Fox,	7,845,200
1832, Oct. 20. Treaty at Pontitock, with Chickasaws	6,422,400
1833, Feb. 18. Treaty at Maumee, with Ottowas,	32,000
1832, May 9. Treaty in Florida, with Seminoles,	4,032,640
1833, Sept. 26. Treaty at Chicago, with Chippewa, Ottawa and Pottawatimies,*	5,000,000
1833, Sept. 26. Treaty at Chicago, with same,	104,960
1834, Dec. 16. Treaty at Pottawatimie Mills, with the Pottawatimies,	1,280
1834, Dec. 17. Treaty at Logansport, with Mota, a chief,	2,560
1834, Dec. 4. Treaty in Camp on the Lake, with Comoss,	1,280
1834, Dec. 10. Treaty on Tippecanoe river, with Muck-Rose,	3,840
Total,	72,330,917

Note. At the treaties held at Castor Hill, in October, 1832, large bodies of land were ceded to the United States, the position and quantity of which cannot at present be ascertained. They are not included in the foregoing estimates.

BOSTON AND WORCESTER RAIL ROAD.

This road was opened on the 6th inst. with much ceremony. The distance is 42 miles, and was made in three hours. Many guests were invited—and, having arrived at Worcester, a procession of more than 600 persons was formed, escorted by a light infantry company and a band of music, to a collation prepared for them. Several speeches were delivered, and some excellent sentiments offered—as for instance:

By *John Davis*, late governor—*Rail roads*—the PEOPLE will bear to be rode, and *hardly rode*, by such monopolies.

Edward Everett—The march of capital and enterprise—May it go hand in hand with the march of intellect and morals, and result in the increased prosperity and virtue of the people.

Col. *Fessenden*, chief engineer, was then called upon. His sentiment was as follows:—*The fourth of July* 1776—when we made ourselves independent of *asses;* and the fourth of July 1835, when we made ourselves independent of *horses.*

The following is the speech and toast of Mr. *Henry Williams*, one of the directors, copied from the Boston Gazette:

Mr. President—On this happy occasion, I have a few words to offer. I congratulate you, sir, and all the friends of the Boston and Worcester rail road, that we this day witness and realize the full and happy completion of our enterprise. I shall be brief in my remarks, but with reference to a sentiment I propose to offer, I feel that it is proper to say a few plain things, to descant upon some truths that ought not to be overlooked and out of mind on this glorious occasion. They may not be palatable to all, but nevertheless they are just and true. I shall briefly advert to the history of the enterprise. A few years since the project was started; it had many warm and high spirited friends and advocates; it had also many strong and powerful enemies. And who does not distinctly remember who and what they were? Strange as it may seem, they were principally to be found among the rich and powerful; among the very class of men, who, possessing the most ample means, it might and ought to have been expected, would have been first and foremost in advocating and prosecuting an important, a noble public enterprise. True, there were honorable exceptions, but it cannot be denied that very many great men, very many rich men, refused all participation—scoffed at our project; pointed at some of us the finger of scorn, and branded us with the epithets of "*hair brained enthusiasts, visionaries*, who almost deserved to be sent to the mad house!" All this was said. Nay more; for when the first spade was stuck into the ground, the directors were called fools, idiots, knaves! It was declared that they were guilty of a high crime in commencing a work which must inevitably result in as total a loss, as if the money expended were shovelled into the bottomless pit! *All this was said*, and much more, and measures were actually taken to arrest the work, and to cause an abandonment of the enterprise! Thanks to the true friends of the project, they stood firm; and with warm hearts and a just confidence in those who had been chosen to prosecute the work, manfully and successfully resisted all attempts to crush the noble project! The road had a sorry beginning. At first, some of our prominent men were willing to advance a few dollars, to make examinations and surveys; but when called upon to take and pay for the stock, they *flinched*, and vociferously cried out that "*'twas madness to go on*—that the road would cost three times the amount of the estimates, and that if it should ever be built, (which they very strongly doubted) it would be next to worthless, it could never pay a half per cent. on its cost!" Here we are my friends, in the Town Hall of the *heart* of the commonwealth—we came here on the rail road, all the way from Boston, in less than three hours! This is truly a day of rejoicing—a day of complete and full triumph, and again I offer you my hearty congratulations. The road is finished. But who has accomplished the work? Has it been done by the great men, the rich men of the times? by our quarter, half, and whole million men? No sir! It has been accomplished by the bone and muscle of the community. By the middling interest people, by that class of men who have warm hearts, clear heads, and who possess almost a monopoly of generous public spirit. This class of our population feel their power. They are not, and never can be *man-worshippers;* they do not place their trust in what are called great men, or in rich men. There is, thank God, I say it with reverence, no temple for man worship to be found among intelligent freemen. It has been predicted by one who has addressed us, that rail roads are destined to extend to the great lakes of the west. I undertake to say that they will not stop there, but that they will ultimately pervade every part of this great country on all the routes that afford any tolerable prospect of increasing the strength, the wealth and prosperity of the nation. But who is to do the work? On whom must we depend for the accomplishment of these great works? No one can for a moment doubt. We must rely upon the enterprise, the intelligence and patriotism of the middle classes in society. They alone can accomplish these great objects. They alone can be depended on—they always have, and they always will be first and foremost in all great public enterprises. Having said thus much Mr. President, in justice to the friends of the Boston and Worcester rail road, permit me to offer this sentiment—

THE PEOPLE, THE COMMON PEOPLE, the MIDDLING INTEREST PEOPLE—They are really and truly the *bone* and *muscle* of the community; their power is great; what can they not accomplish?

After other gentlemen had spoken, the party returned to Boston, in 2¾ hours—*five* successive miles of the road were passed over in *fourteen* minutes, as timed by several gentlemen.

We have chiefly given a particular notice to the opening of this road, for the reason that, until recently, the people of Massachusetts have paid not much attention to such things. But now being "wakened up," we may expect that they will take a lead in them, and bind all parts of the state together with iron—linking herself also with New York and Vermont, &c.

THE PROSPECT A-HEAD!

The following table, showing the amount of banking capital of the various states of the union, has been compiled by the editor of Bicknell's Reporter from the last reports made to the several state legislatures. The new banks since chartered, viz: the Northern bank of Kentucky, the Merchants' bank of Baltimore, the Charleston bank, and others, are to be added in order to make the table complete:

Maine,	1834	$2,724,000
New Hampshire,	"	2,454,308
Vermont,	1833	911,980
Massachusetts	1834	29,409,450
Rhode Island,	"	7,438,848
Connecticut,	"	5,708,015
New York,	1835	31,481,460
New Jersey,	1834	6,375,000
Pennsylvania,	1835	17,084,444
Delaware,	1834	2,000,000
Maryland,	"	9,270,091
Virginia,	"	5,694,500
North Carolina,	"	3,324,725
South Carolina,	"	7,331,318
Georgia,	"	8,034,691
Alabama,	"	4,308,207
Mississippi,	"	11,000,000
Louisiana,	"	33,664,755
Tennessee,	"	5,242,897
Kentucky,	1835	10,000,000
Ohio,	1834	5,986,635
Indiana,	1835	1,500,000
Illinois,	"	1,700,000
District of Columbia,	1834	3,355,305
Florida,		1,000,000
Michigan,		2,250,000
		$219,250,549

We, indeed, have been humbugged—after a new fashion, and on a large scale! We have added to the banking capital of the United States, perhaps, 100 millions, that we should "travel on gold;" and shall add, before

*For this cession, the United States have ceded an equal quantity of land, west of the Mississippi river.

the war against "monopolies" is over, at least 50 millions more—unless there shall be a general crush! The Boston "Reformer," a "true-blue" paper, thus speaks of it—

"'Specie currency'—'Benton mint drops' and paper rags forever! Let the honest working man ask himself what we have gained by the destruction of the United States bank, when the country is thus to be deluged with an irresponsible brood of *asps* and *crocodiles*!"

In another place, the same paper says—

"Since the war against the U. S. bank commenced, the circulation of bank paper has been increased nearly FIFTY MILLIONS of dollars. Specie, which was flowing into the country like a deluge, has been driven out by *democratic bank paper*. We are no nearer having a *specie* currency, than we were ten years ago."

And in Maine, where small notes have been abolished, individuals are manufacturing money by the ream! The "working men" have gained *this* by the destruction of the bank of the United States—the getting up a vast amount of local banks, to stand or fall—"according to circumstances!"—and that will be strong enough by "combinations," to "suspend" specie payments, if so need compels.

THE COAL TRADE.

From the Philadelphia Gazette.

One of the most important interests of Pennsylvania is the coal trade. At so late a period as the year 1818, the mines on the Schuylkill and Lehigh were almost wholly without value, owing to the want of facilities of transporting the coal to market. Since that period, the expenditure of a vast capital in improving the navigation of those rivers, has opened sources of wealth, which must otherwise have remained dormant, and laid the foundation for a commerce, the extent of which cannot readily be imagined.

An observant friend has called our attention to an article on the subject of the coal trade of Great Britain, which appeared in the supplement to that excellent and instructive work, the "Penny Magazine," for April 30, 1825. It presents a view of the magnitude of the coal trade, which Pennsylvania may some day see realized, possessing, as she does, inexhaustible mountains of the precious mineral, and as it contains some statistical information that may be useful to be known, we have extracted the following items:

	Tons.
Population of Great Britain (exclusive of Ireland)	17,000,000.
Consumption of coal in 1833 by these 17 millions of inhabitants	13,464,000
Exported to foreign countries	634,448
Exported to Ireland	900,000
Consumed in iron works	3,000,000
Total	17,998,448

The price, in 1833, was from 15 to 18 shillings per ton of 2,240 lbs. that is, from $7 20 to $8 64, estimating the pound sterling at $4 80, so that taking the average price, the annual value was upwards of *one hundred and forty two millions of dollars*.

The mining and distribution of this vast quantity of coal, gave employment to the following number of persons:—

Collieries	121,000	men.
Seamen and shipping	30,000	
Factors and others under them	45,000	
Bargemen	10,000	
Making in the whole	206,000	men,

to whom the coal trade gave *direct* employment in that year.

The capital employed in the trade, has been estimated by Mr. McCulloch, at 10 millions sterling, equal to 48,000,000 dollars.

In connexion with this subject, we have thought that the following abstract from a table attached to the report made by Mr. Packer, to the senate of Pennsylvania, on the 4th of March, 1834, would have an interest.

Anthracite coal, mined and brought to market, in each year, from the commencement of the business in 1820, to the year 1833, inclusive.

	Lehigh.	*Schuylkill.*	*Lackawana.*	*Total.*
1820	365	.	.	365
1821	1,073	.	.	1,073
1822	2,240	.	.	2,240
1823	5,823	.	.	5,823
1824	9,541	.	.	9,541
1825	28,393	5,306	.	33,199
1826	31,280	16,835	.	48,115
1827	32,074	29,492	.	61,567
1828	30,232	47,181	.	77,415
1829	25,110	78,293	70,000	110,403
1830	41,750	89,984	42,000	173,734
1831	40,965	81,854	54,000	176,820
1832	75,000	209,271	84,500	368,771
1833	124,000	250,588	111,777	485,465

P. S. Since writing the foregoing, we have ascertained from the proper sources, that the quantity of coal brought to market, in the year 1834, from the said three coal districts, was as follows:

Lehigh	106,244 tons.
Schuylkill	226,692 "
Lackawana	43,700 "
Tons	376,636

From this statement it will be perceived that the product of the year 1834, was less than that of 1833, by 111,335 tons, which is accounted for upon the principle that a very large stock remained on hand on the first of January, 1834, which entered into the consumption of that year.

From present appearances, however, the product of the current year, 1835, will go beyond that of 1833. The quantity brought down during the present season, which commenced in April, was as follows:

Lehigh	44,093 tons,	up to 2d July.
Schuylkill	129,780 "	up to 1st July.

From the Lackawana, we have not been able to procure any returns.

The Lehigh company expect to receive during the remainder of the season, at the rate of about 4,500 tons per week.

MARITIME LAW CASE.

Liverpool, June 1.

John Bartholomew, the commander of the William Harrington, at this port, from New Orleans, appeared before alderman sir Thos. Brancker, on Thursday last, to answer to a complaint from Davis, his mate in the above vessel, that he refused payment of his wages. The latter stated to the court, that the alleged ground of the non-payment was, that a bale of cotton, which was supposed to have been shipped at New Orleans, was missing at this port. This bale the captain wished to charge him with. A few words passed among the parties respecting the amount of the wages due, when sir Thos. Brancker observed, that the court had rather to deal with the dispute respecting the bale of cotton than any more remote matter. The captain then stated, that they had shipped 1,036 bales of cotton at New Orleans, and that only 1,035 had been discharged in Liverpool. The mate, he said, had signed the receipts generally, and, therefore, he alone was liable to account for the deficiency. The mate said that he had an impression that there was a bale short when they were at New Orleans, and had named it to the captain, who might, if he had pleased, have settled the matter at once by an appeal to the authorities of that port. The captain denied this. After some skirmishing, it came out that the captain had himself signed the receipt for 4 bales out of the first 16 that were shipped in the vessel. Upon this, sir Thomas Brancker said, if the captain could by any means prove that the 4 bales which he had received had been discharged in Liverpool the mate would be liable, as he had signed the receipts for all the rest of the cargo. *If*, said sir Thomas, "you have signed for a portion of the cargo however small and the mate for the remainder, it is impossible for the magistrates to decide which of you have made the mistake. If, therefore, you cannot prove the delivery of your four bales you must pay Davis his wages." In the course of his evidence the mate acquitted the captain of the most remote wish to proceed otherwise than by the rules of the strictest integrity and honor. The commander of the St. Leonard was summoned by his mate George Smith, for £13 10*s*. arrears of wages. The captain objected on the grounds that the money was demanded before it was due, as Smith was not, by agreement, entitled to his wages until the vessel should have discharged her cargo, although he had been dismissed. Mr. Ellis said the wages were due the moment the man was discharged, as he had earned them up to that time. If he was compelled to wait twenty days for them, the captain must pay him wages during that period. The captain was not at all satisfied with this view of the case; he demurred considerably, and produced his agreement. Mr. Ellis, however, maintained his point. Sir Thomas Brancker, thought it inconsistent with justice and established custom to wish to deprive a seaman of the chance of shipping in another vessel, if he could procure a situation. The captain, however, would "have his bond," and insisted on his own interpretation. Sir Thomas Brancker ordered the wages to be paid. The captain said he was not prepared to comply—they might take his body. Here the affair rested.

DEBATE ON EXECUTIVE PATRONAGE.

Mr. *Wright*, in explanation of what had fallen from Mr. *Preston* (see page 359) said he felt bound to say a very few words in reply to what had fallen from the senator from South Carolina. Knowing, as he did, how precious the time of the senate was at that period of the session, he should content himself with making two or three remarks by way of explanation. The honorable senator had represented him, (Mr. *Wright*), thought unintentionally no doubt, as saying what he, in fact, never intended to advance. The gentleman had said he regarded the 100,000 pensioners, or dependents upon the bounty of this government, as dangerous to the liberty of the country. Now, in regard to that matter, he (Mr. W.) had not, nor did he intend to deny that the labors of the select committee were of a profitable and useful character. He did not undertake to say that the power of the president had not increased, but he undertook only to say that our institutions were not in danger from that corps of 100,000 men, and especially not in that imminent danger which the select committee seemed to suppose. It was in that sense, and that alone, that he had made his remarks. In regard to the third section of the bill then before the senate, he

had expressed an opinion, that, as one of policy, it ought not to be adopted, because he did not believe the security of our republican institutions was to be obtained by an extension of the term of office. He believed that the law of 1820 was sound and salutary, and that its repeal by the third section of the present bill was calculated to make offices perpetual; and that, while gentlemen were attempting to avoid one danger, they were creating another of greater magnitude. And, with respect to the executive power, he wished to be distinctly understood as saying, that the chief magistrate had just as much executive power as was granted him by the constitution, and no more and no less. He did not go to Russia, France or England, in order to discover the definition of the word executive. He knew but little of those countries, and, as in reference to his own, he cared much less. We had a written constitution, and by it we were to regulate all our power. He had expressed his opinion that the power of appointment *to* office and the power of removal *from* office were executive powers; that the executive power pertaining to this government was, by the constitution, granted to the president; that he possessed that power, except in so far as that the constitution had made other grants; that it had made one other, which was the senate, in reference to appointments. He (Mr. *Wright*) had said, (and he thought he could not have been misunderstood), that until honorable senators would satisfy him that removal from office was a legislative or judicial power, he should be compelled to defend his position. He was sure the senator from South Carolina did not intend either to misunderstand or misrepresent him, when he imputed to him this language—that he (Mr. W.) maintained that *all* executive power was granted to the president. Why the gentleman would make Mr. W. say what would be very foolish there, for he would make him take the executive power of Russia, Austria and England, and all the other countries that had been named by that senator, into his position. The gentleman surely could not have understood him as maintaining that argument. He desired explicitly to deny the implication; and as he had now stated what he had intended to say on a former occasion, he hoped that he should be distinctly understood.

Mr. *Buchanan*. Mr. President: It is with extreme diffidence and reluctance that I rise to address you on the present occasion. It was my intention to suffer this bill to pass, contenting myself with a simple vote in the negative. This course I should have pursued, had the constitutional question been fully discussed by any gentleman on our side of the house. As this has not been done, I feel it to be a duty which I owe to those who sent me here, as well as to myself, to express my opinion on the subject, and the reasons on which that opinion is founded.

The present bill presents a most important question concerning our fundamental institutions. It attacks a construction of the constitution of the United States which has been considered settled for almost half a century. Has the president, under the constitution, the power of removing executive officers? If any question can ever be put at rest in this country, this, emphatically, ought to be considered that one. It was solemnly settled in 1789 by the first congress of the United States. Of whom was that congress composed? Of the men who had sustained the toils and dangers of the revolutionary war—of the men who sat in the convention which framed the constitution, and who passed from that convention into the first congress.—These men, who laid the foundations of our republic broad and deep, most solemnly and deliberately decided, that to the president, and to him alone, belonged the power of removal. This was not at a moment when the country was convulsed by party spirit. Very far from it. The fathers of the republic were then occupied in putting the government in motion, and in establishing such principles as might preserve the liberties and promote the best interests of the American people for ages. In what condition are we, at the present moment, to rejudge the judgment of these men and reverse their solemn decision? Is not party spirit raging throughout the land? Are there not high party feelings in this body? Are we in a condition calmly and deliberately, without prejudice and without passion, to review and to condem their judgment?

Why, sir, even if there were no authority in the constitution for the power of removal, the decision of this body, at this time, would have but little influence among the people. They would compare the calmness—the self-possession—the freedom from political excitement of the sages who established the precedent, with the party violence and the high political feeling of the senate at the present day; and the weight of authority would be all against us.

The debate in the first congress was very long and very able. Every argument which patriotism and ingenuity could suggest was exhausted. The question was at length decided in the house of representatives on the 22d June, 1789. On the yeas and nays, thirty voted in affirmance of the president's power of removal, and eighteen against it;—a large majority, considering the comparatively small number of which the house was then composed.

The question arose on the bill to establish the department of foreign affairs. It contained a clause declaring the secretary of state "to be removeable from office by the president of the United States." From this clause it might have been inferred that the power of removal was intended to be conferred upon the president by congress, and not acknowledged to exist in him under the constitution. To remove every difficulty—to place doubt at defiance in all future time, the words "to be removeable from office by the president of the United States" were stricken from the bill, and this right was expressly acknowledged to exist independently of all legislation. By the second section of the bill which became a law on the 27th July, 1789, it is declared that "the chief clerk in the department of foreign affairs, *whenever the principal officer shall be removed from office by the president of the United States*, or in any other case of vacancy, shall, during such vacancy, have the charge and custody of all records, books and papers, appertaining to the said department." Here then is a clear, strong, distinct recognition by the house of representatives of the president's power of removal, not by virtue of law, but under the constitution. This phraseology was carefully adopted for the purpose of putting this very question at rest forever, so far as congress could effect this purpose.

The bill, having passed the house of representatives, was sent to the senate for their concurrence. The power of removal was there solemnly considered. This was the very body which, according to the doctrine of gentlemen, has a right to control this power; and yet they affirmed the principle that it was vested in the president and in him alone. It is true that the question was determined by the casting vote of Mr. Adams—then the vice president: but the act was approved by general Washington, and the power has ever since been exercised without dispute by him and his successors in office, until after the election of the present president. Washington, the elder Adams, Jefferson, Madison, Monroe, and the younger Adams removed whom they pleased from office; but after the accession of Jackson, the existence of this power is denied. We are now required to believe that all which former presidents have done was wrong:—that the first congress were entirely mistaken in their construction of the constitution:—and that the president does not possess the power of removal except with the concurrence of the senate.

If ever a question has occurred in the history of any country which ought to be considered settled, this is that one. A solemn decision at first, adopted in practice afterwards by all branches of the government, for five and forty years, makes the precedent one of almost irresistible force.

What then have we a right to expect on our side of the house from the opposition? Not merely that they shall prove it to be a doubtful question, but that they shall present a case so clear as to render it manifest that all which has been done has been without authority, and all the removals which have ever been made, have been in violation of the constitution. The burthen rests entirely upon the gentlemen, and a ponderous load they have to sustain.

But, sir, if the question were entirely new, if it never had been decided either by precedent or by practice, I think it may be made abundantly clear, that the strength of the argument is greatly on the side of those who maintain the power.

What is the nature of the constitution of the United States? The powers which it devolves upon the government, are divided into three distinct classes, the legislative, the executive and the judicial. To preserve the liberties of any country, it is necessary that these three branches of government should be kept distinct and separate as far as possible. When they are all united in the same person—this is the very definition of despotism. As you approximate to this state of things, in the same proportion you advance towards arbitrary power. These are axioms which cannot—which will not be denied.

Doubtless for wise purposes, the framers of our constitution have, in a very few excepted cases, blended these powers together. The executive, by his veto, has a control over our legislation. The senate, although a branch of the legislature, exercises judicial power in cases of impeachment. The president nominates, "and by and with the advice and consent of the senate," appoints all officers, except those of an inferior nature, the appointment of which may be vested by congress in the president alone, in the courts of law, or in the heads of departments."

Now, sir, my position is, that, when the constitution of the United States, in a special case, has conferred upon the senate, which is essentially a branch of the legislature, a participation in executive power, you cannot by construction extend this power beyond the plain terms of the grant. It is an exception from the general rule pervading the whole instrument. Appointment to office is, in the strictest sense, executive power. But it is expressly declared that the assent of the senate shall be necessary to the exercise of this power on the part of the president. The grant to the senate is special. In this particular case, it is an abstraction from the general executive powers granted under the constitution to the president. According to the maxim of the common law, *expressio unius est exclusio alterius*—it follows conclusively that what has not been given is withheld, and remains in that branch of the government which is the appropriate depository of executive power. The exception proves the rule. And the grant of executive power to the senate, is confined to appointments to office and to them alone. This necessarily excludes other executive powers. It cannot, therefore, be contended with any force, as the gentleman from Massachusetts, (Mr. *Webster*), has contended, that because the consent of the senate is made necessary by the constitution to appointment of officers—that therefore, by implication, it is necessary for their removal. Besides, these two things are very distinct in their nature, as I shall hereafter have occasion to demonstrate.

But, to proceed with the argument. I shall contend that the sole power of removing executive officers is vested in the pre-

sident by the constitution. First, from a correct construction of the instrument itself; and second, even if that were doubtful, from the great danger resulting to the public interest from any other construction.

The constitution declares in express language, that "the executive power shall be vested in a president of the United States." Under these general terms, I shall, once for all, disclaim the idea of attempting to derive any portion of the power of the chief magistrate from any other fountain than the constitution itself. I therefore entirely repel the imputation, so far as I am concerned, which would invest him with executive powers derived from the prerogatives of the kings or the emperors of the old world. Such arguments are entirely out of the question.

The constitution also declares, that "he shall take care that the laws be faithfully executed." These two clauses of the constitution confer the executive power on the president, and define his duties. Is, then, the removal from office an executive power? If it be so, there is an end of the question; because the constitution no where declares that the senate, or any other human tribunal, shall participate in the exercise of this power. It will not be contended but that the power of removal, exists, and must exist, somewhere. Where else can it exist but in the executive, on whom the constitution imposes the obligation of taking care that the laws shall be faithfully executed? It will not be pretended that the power of removal is either of a legislative or judicial character. From its very nature, it belongs to the executive. In case he discovers that an officer is violating his trust—that instead of executing the laws, his conduct is in direct opposition to their requisition, is it not, strictly speaking, an executive power to arrest him in his career, by removing him from office? How could the president execute the trust confided to him, if he were destitute of this authority? If he possessed it not, he would be compelled to witness the executive officers violating the laws of congress, without the power of preventing it.

On this subject it is impossible for me to advance any thing new. It was exhausted by Mr. Madison, in the debate of 1789, in the house of representatives. I am confident the senate will indulge me whilst I read two extracts from his speeches on that occasion, delivered on the 16th and 17th June, 1789. The first was delivered on the 16th June, 1789, and is as follows:

"By a strict examination of the constitution, on what appears to be its true principles, and considering the great departments of the government in the relation they have to each other, I have my doubts whether we are not absolutely tied down to the construction contained in the bill. In the first section of the first article, it is said that all legislative powers herein granted shall be vested in a congress of the United States. In the second article, it is affirmed that the executive power shall be vested in a president of the United States of America. In the third article, it is declared that the judicial power of the United States shall be vested in one supreme court; and in such inferior courts as congress may, from time to time, ordain and establish.

"I suppose it will be readily admitted, that so far as the constitution has separated the powers of these great departments, it would be improper to combine them together; and so far as it has left any particular department in the entire possession of the powers incident to that department, I conceive we ought not to qualify them further than they are qualified by the constitution. The legislative powers are vested in congress, and are to be exercised by them uncontroled by any other department, except the constitution has qualified it otherwise. The constitution has qualified the legislative power, by authorising the president to object to any act it may pass, requiring, in this case, two-thirds of both houses to concur in making a law; but still the absolute legislative power is vested in the congress with this qualification alone.

"The constitution affirms, that the executive power shall be vested in the president. Are there exceptions to this proposition? Yes, there are. The constitution says, that in appointing to office, the senate shall be associated with the president, unless in case of inferior officers, when the law shall otherwise direct. Have we a right to extend this exception? I believe not. If the constitution has invested all executive power in the president, I venture to assert that the legislature has no right to diminish or modify his executive authority."

Again:

"The doctrine, however, which seems to stand most in opposition to the principles I contend for, is, that the power to annul an appointment. I agree that if nothing more was said in the constitution than that the president, by and with the advice and consent of the senate, should appoint to office, there would be great force in saying that the power of removal resulted by a natural implication from the power of appointing. But there is another part of the constitution, not less explicit than the one on which the gentleman's doctrine is founded; it is that part which declares that the executive power shall be vested in a president of the United States.

"The association of the senate with the president in exercising that particular function, is an exception to this general rule; and exceptions to general rules, I conceive, are ever to be taken strictly. But there is another part of the constitution which inclines, in my judgment, to favor the construction I put upon it; the president is required to take care that the laws be faithfully executed. If the duty to see the laws faithfully executed be required at the hands of the executive magistrate, it would seem that it was generally intended he should have that species of power which is necessary to accomplish that end. Now, if the officer, when once appointed, is not to depend upon the president for his official existence, but upon a distinct body, (for where there are two negatives required, either can prevent the removal), I confess I do not see how the president can take care that the laws be faithfully executed. It is true, by a circuitous operation, he may obtain an impeachment, and even without this it is possible he may obtain the concurrence of the senate for the purpose of displacing an officer; but would this give that species of control to the executive magistrate which seems to be required by the constitution? I own, if my opinion was not contrary to that entertained by what I suppose to be the minority on this question, I should be doubtful of being mistaken, when I discovered how inconsistent that construction would make the constitution with itself. I can hardly bring myself to imagine the wisdom of the convention who framed the constitution contemplated such incongruity."

But, sir, if doubts could arise on the language of the constitution itself, then it would become proper, for the purpose of ascertaining the true meaning of the instrument, to resort to arguments *ab inconvenienti*. The framers of the constitution never intended it to mean what would be absurd, or what would defeat the very purposes which it was intended to accomplish. I think I can prove that to deprive the president of the power of removal would be fatal to the best interests of the country.

And first, the senate cannot always be in session. I thank heaven for that. We must separate and attend to our ordinary business. It is necessary for a healthy political constitution that we should breathe the fresh and pure air of the country. The political excitement would rise too high if it were not cooled off in this manner. The American people never will consent, and never ought to consent, that our sessions shall become perpetual. The framers of the constitution never intended that this should be the case. But once establish the principle that the senate must consent to removals, as well as to appointments, and this consequence is inevitable.

A foreign minister in a remote part of the world is pursuing a course, dangerous to the best interests, and ruinous to the character of the country. He is disgracing us abroad, and endangering the public peace. He has been intrusted with an important negotiation, and is betraying his trust. He has become corrupt, or is entirely incompetent. This information arrives at Washington three or four days after the adjournment of congress on the 3d of March. What is to be done? Is the president to be entirely powerless until the succeeding December, when the senate may meet again? Shall he be obliged to wait until the mischief is entirely consummated—until the country is ruined—before he can recall the corrupt or wicked minister? Or will any gentleman contend that upon every occasion, when a removal from office becomes necessary, he shall call the senators from their homes throughout this widely extended republic? And yet, this is the inevitable consequence of the position contended for by gentlemen. Could the framers of the constitution ever have intended such an absurdity? This argument was also adverted to by Mr. Madison.

But again, there are great numbers of disbursing officers scattered over the union. Information is received during the recess of the senate, that one of them in Arkansas or at the Rocky Mountains, has been guilty of peculation, and is wasting the public money. Must the president fold his arms, and suffer him to proceed in his fraudulent course, until the next meeting of the senate? The truth is, that the president cannot execute the laws of the union, without this power of removal.

But cases still stronger may be presented. The heads of departments are the confidential advisers of the president. It is chiefly through their agency that he must conduct the great operations of government. Without a direct control over them, it would be impossible for him to take care that the laws shall be faithfully executed. Suppose that one of them, during the recess of the senate, violates his instructions, refuses to hold any intercourse with the president, and pursues a career which he believes to be in opposition to the constitution, the laws and the best interests of the country. Shall the executive arm be paralyzed; and, in such a case, must he patiently submit to all these evils until the senate can be convened? In time of war, the country might be ruined by a corrupt secretary of war, before the senate could be assembled.

It is not my intention on this occasion to discuss the question of the removal of the deposites from the bank of the United States. I merely wish to present it as a forcible illustration of my argument. Suppose the late secretary of the treasury had determined to remove the deposites, and the president had believed this measure would be as ruinous to the country as the friends of the bank apprehended. If the secretary, notwithstanding the remonstrances of the president, had proceeded to issue the order for their removal, what should we have heard from those who were the loudest in their denunciations against the executive, if he had said, my arms are tied, I have no power to arrest the act—the deposites must be removed, because I cannot remove my secretary? Here the evil would have been done before the senate could possibly have been assembled. I am indebted to the speech of the senator from South Carolina, (Mr. *Calhoun*), at the last session, for this illustration. The truth is, view the subject in any light you may, the power of removal is in its nature inseparable from the executive power.

I have been presenting the inconveniences which would arise, during the recess of the senate, from the want of this power in

the executive. But suppose the senate to be always in session, would this remove every difficulty? By no means. Confer upon the senate the power of rejecting removals; and you make the executive, in the language of the debate of 1789, a double-headed monster. That power on whom is devolved the execution of your laws, must be able to remove a corrupt or an incompetent agent from office, or he cannot perform his duties. The senate may, without inconvenience, and with very great advantage to the country, participate in appointments; but when the man is once in office, the president must necessarily possess the power of turning him out in case he does not perform his duties. This power ought not to depend upon the will of the senate; for that body have nothing to do with the execution of the laws.

If the power contended for were vested in the senate, what would be the consequences? Still more dangerous, if possible, than any which I have yet depicted. The cases in which removals are necessary, must rapidly increase with the number of our officers and our rapidly extending population. If the president must assign reasons to the senate for his removals, according to the provisions of this bill, or if the senate must participate in these removals, as well as appointments, it necessarily follows, that these reasons must be investigated. Witnesses must be examined to ascertain the truth or falsehood of the charges made against the officer sought to be removed. The case must be tried judicially. Time must be consumed to the prejudice of our other duties. The legislative functions of the senate must thus become impaired, and feelings excited between co-ordinate branches of the government calculated to produce a most injurious effect upon the country. In this state of things, the case might readily occur which was anticipated by Mr. Madison in 1789. A majority of the senate might even keep one of the heads of department in office against the will of the president. Whether they would have done so or not last winter, in the case of the secretary of the treasury, I shall not pretend to determine.

If this power were conferred upon the senate, it would interfere with our judicial functions to a dangerous and alarming extent. The removal of a high officer of the government is recommended by the president to the senate, because of official misconduct. The charges are tried before the senate. From the very nature of the question it must become in fact a judicial investigation. The senate determine either that he shall remain in his office or that he shall be removed. In either case, the house of representatives, possessing the sole power of impeachment under the constitution, determines to exercise it against this officer. But the senate have, by their previous proceedings, utterly disqualified themselves from giving to the accused an impartial trial. They have already decided upon his guilt or his innocence. Instead of proceeding to the trial, unbiased by favor or by prejudice, their minds are inflamed, their judgments are biased, and they come to the investigation with the feelings of partisans, rather than those of judges. The house of representatives would have a just right to complain loudly against the exercise of this power by the senate. We should thus disqualify ourselves from judging impartially in cases between the people of the United States and the high officers of the government.

I think I have successfully established the position that no two things can in their nature be more distinct, than the power of appointment and that of removal. If this be the case, then what becomes of the argument of the gentleman from Massachusetts (Mr. *Webster*). It rested entirely upon the principle, that these two powers were so identical in their nature, that because the senate, under the constitution, have the express power of advising and consenting to appointments, that, therefore, by implication, they must possess the power of advising and consenting to removals. The inference is without foundation.

The truth is, that the more we discuss this question, we shall have the greater reason to admire the wisdom of the constitution and of those enlightened and patriotic men who placed that construction upon it in the beginning, which I shall venture to predict never will be disturbed by the American people. The senate, from the nature of the body, are fully competent to assist the president in appointments. It would change their character altogether, and paralyze the executive arm of the government, if they were to usurp the power of interfering in removals from office. Let the constitution and the construction of it, by its founders, in this particular, be perpetual!

It has been objected that the president, by this construction, is too far removed from responsibility in the exercise of this power. But he is responsible to the American people, whose servant he is, in this, as in all other cases. Unless you palsy the executive arm and render it powerless to do good, lest it may do evil, you cannot support the doctrine which has been urged. You must vest some discretion; you must repose some confidence in the executive, or the wheels of government must stand still. Should he abuse his power, he is liable to the censure of public opinion; and, in flagrant cases, he may be impeached.

It was contended in the first congress, and the same argument has been urged upon the present occasion, that the power of removal was not recognized by the constitution—that it was a case omitted, and that therefore, by implication, it belongs to congress. This argument was fully met and successfully refuted in 1789. If this principle were established, the executive power would have no necessary control over executive officers. Congress might confer the power of removal upon the senate alone, upon the house of representatives alone, or upon both conjointly, without any participation of the president. This government—the admiration of the world, would present the solecism of an executive without any control over executive agents, except what might be granted to him by the legislature. We are not placed in this unfortunate predicament. The president, under the constitution, has the power of removal. It is a constitutional power, not to be controled by the legislature. It is a power equally sovereign in its nature with that of legislation itself. He is a co-ordinate branch of the government and has the same right to exercise his discretion in removals from office, that congress possess in regard to the enactment of laws.

This brings me to consider the constitutionality of the third section of the bill now depending before us. It provides "that in all nominations made by the president to the senate, to fill vacancies occasioned by removal from office, the fact of the removal shall be stated to the senate at the time that the nomination is made, *with a statement of the reasons for such removal*."

Whence do we derive our authority to demand his reasons? If the constitution has conferred upon him the power of removal, as I think I have clearly shown, is it not absolute in its nature and entirely free from the control of congress? Is he not as independent in the exercise of this power as congress in the exercise of any power conferred upon them by the constitution? Would he not have the same authority to demand from us our reasons for rejecting a nomination, as we possess to call upon him for his reasons for making a removal? Might he not say, I am answerable to the American people, and to them alone, for the exercise of this power, in the same manner that the senate is for the exercise of any power conferred upon them by the constitution?

With all the deference which I feel for the opinions of the senator from Tennessee, (Mr. *White*), I think he has arrived at the conclusion that the third section of this bill is constitutional, by blending things together which are in their nature entirely distinct. He asks, is it not in the power of congress to create the office, to define its duties, and to change and vary these duties at pleasure? Granted. May they not, if they believe the office unnecessary, repeal the law, and must not the officer fall under it? Granted. These are legislative powers, clearly conferred upon congress by the constitution. It is then asked, may congress not prescribe it as the duty of these officers to give reasons for their conduct? Certainly they may. And why? Because they are the creatures of congress—they are called into existence by congress—and they will cease to exist at the pleasure of congress. Is this the condition of the executive, who is a co-ordinate branch of the government, and who is answerable for his conduct, not to congress, but to the people of the United States. What right have we to demand reasons from the servant of another as to how he performs his duties? To his own master, which, in this particular, is the American people, and to them alone, he is responsible. If congress can command him to give reasons to the senate for his removals, the senate may judge of the validity of these reasons, and condemn them if they think proper. The executive of the country is thus rendered subordinate to the senate—a position in which the constitution of the country never intended to place him. In my opinion, this bill as strongly negatives the constitutional power of the president to remove from office, without the concurrence of the senate, as if it were so declared in express language. For this reason I shall vote against it.

But if no such question were involved in the bill, I should equally condemn its policy. Its evident tendency is substantially to make all offices, offices for life, or during good behaviour, which is contrary to the genius of our institutions. But the arguments against the policy of this bill have been fully and ably insisted upon by others. At this late period of the session, when so much important business remains undone, I shall not occupy the time of the senate in discussing this branch of the subject. I rose merely to present my views upon the constitutional question.

Mr. *Ewing* rose and said, that, like the gentleman from New York, he had found that his remarks had been misunderstood by the honorable senator near him, (Mr. *Buchanan*). When up before, he (Mr. *Ewing*) had taken occasion to remark, in the course of his argument on the constitutional question, that the several powers of our government were not exactly and particularly separated—that the executive and judicial powers were in some measure blended; and that he thought it tended to the safety of the republic that they should be so, to prevent one power from swallowing up the other. He thought he had been perfectly clear in the enunciation of his views, which he had illustrated by a reference to the constitution—as, for instance, (remarked Mr. E.) the executive power is not *all* vested in the president. There are three powers which are partially exercised by the other branches of the government. The power of war is exercised by the executive, senate and house of representatives; the treaty-making power by the president and senate; and also the power of appointment by this body and the chief magistrate. And for what reason? It is because the executive power, if it stood entirely alone—if vested in the hands of one man, and uncontroled by the legislative power or the other departments of the government, would be too strong for them—might swallow them up and centre them, perhaps, in one hand. These are the views which I have had the honor to present to the senate on a former occasion.

The senate then adjourned.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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WILLIAM COBBETT, the editor of the "REGISTER," and one of the most celebrated political writers of the age, died at his farm in Surry, Eng. on the 18th of June.

ABOLITION OF SLAVERY. An account of a meeting of certain southern gentlemen in New York, to take into consideration the conduct of the abolitionists, will be found in a subsequent page. The resolutions adopted are temperate and conciliatory, and assume the proper ground—reliance upon the guaranties of the constitution and the intelligence and patriotism of the north. These will eventually stifle the efforts of the fanatics; but not until an awful retribution has fallen upon their heads and the misguided people whose welfare they affect to be desirous of promoting.

One of the largest meetings ever held in Richmond, Va. was held in the capitol in that city on the 24th ult. on this absorbing topic. A series of resolutions were submitted by Mr. Robert T. Wicker, but afterwards withdrawn—and the whole subject referred to a committee of thirteen, who are to report to an adjourned meeting to be held on the 4th inst. what measures should be adopted.

VICKSBURG OUTRAGE. We publish this week what may be considered an "official" account of the hanging of five gamblers at Vicksburg, Miss. which we briefly noticed in our last. Notwithstanding its specious character, it cannot reconcile any reflecting man to the consequences of such a summary procedure, which is disgraceful to all the parties concerned. The barbarism of the punishment is not less heinous in our eyes, than the reckless disregard of the laws. For, surely, if they could not restrain the acts which preceded the bloody tragedy, they could have properly punished the death of Dr. Bodley, and thus have prevented the obloquy which must rest on that community. Of all the harpies which prey upon the public, the professed gambler is the most offensive in our eyes—for he is a moral upas that blasts and withers all with whom he comes in contact. But we would not exterminate him at such a fearful sacrifice as the people of Vicksburg have made on the shrine of passion. There is neither mercy nor justice in the *decisions* of a mob, and when mob-law is tolerated, statute and moral *law* will become a dead letter.

TEXAS. The colonists of Texas are not disposed to submit quietly to the military despotism of Santa Anna, but are arming themselves for resistance. On the 21st of June a proclamation was issued to the people of Texas, by J. B. Miller, chieftain of the department of Brazos, calling upon them to organize and arm for the purpose of marching to the relief of their governor (Augustin Viesca), who had been arrested by the military [partisans of Santa Anna], and thrown into a dungeon. The place of rendezvous is fixed at San Felipe de Austin.

A meeting of the citizens was held in the town of Columbia on the 23d of June, Silas Dinsmore, in the chair, at which it was resolved not to adopt any measures of committal until all the citizens can be consulted in a general meeting to take place on Sunday, 28th June, also recommending to the citizen of Texas, union, concert, and moderation in the adoption of measures to meet the present crisis.

Texas, we fear, will be the scene of the same exploits which have impoverished and distracted the *quondam* South American republics. There are too many ambitious leaders, who, in their efforts at personal aggrandizement, heed not the evils they inflict upon the people;—and will thus prevent the formation of a stable and protective government.

INSURRECTION AT HAVANA. An insurrection broke out among the slaves working on the aqueduct at Havana, on the 12th of July. They refused to work, armed themselves and killed several whites. In quelling them, sixteen were wounded. About thirty were sentenced to be shot.

INSURRECTION IN MISSISSIPPI. Madison county, Mississippi, has been the scene of some violent proceedings caused by a rumor that the slave population, headed by some whites, intended to raise en masse and murder the white population, rob the bank, &c. The following letter from Carson Grove, in the immediate vicinity of the insurrectionary movements, contains all important particulars, and shows a great degree of alarm and excitement. The whole country, it is said, is in arms and assembled at different points to protect the women and children.

From the Nashville Republican.

LETTER TO A GENTLEMAN IN THIS CITY.

"*Carson, Grove July 9th*, 1835.

Dear sir: I sit down to give you, in as brief a manner as possible, an account of the awful condition of our country. An intended insurrection of the slaves, assisted by many white men, has been disclosed by a negro. It was to have commenced on the 4th of July, and was not disclosed till the night of the 2d. I went up to Livingston. On the third and fourth the excitement exceeded any thing I ever saw. I joined a company, and assisted in taking several white men and negroes. A steam doctor, by the name of Cotton, was commander in chief. We took him, and delivered him at Livingston on the night of the 3d. We also took a doctor Saunders, formerly of Sumner county, Tennessee, and one other. Saunders was a steamer. A court of twelve men were appointed to examine and pronounce sentence. Cotton and Saunders and the third person, whose name I forget, were hung on the 4th, and 9 negroes at the same time. We have taken 17 men, whose names Cotton gave up under the gallows. They are trying them at Livingston. One was hung yesterday at Dr. Dean's, (a steamer). Cotton stated that there were a number of steam doctors concerned, but he could not recollect their names. Col. Perkins, of Madison, and a party of men went down on Big Black, on the night before last, to take a man by the name of Sharkey, a rich planter. In trying to take him in his house, he killed Perkins and wounded one other badly, and wounded two horses mortally. Sharkey's hand was shot the moment he fired the first gun, which killed Perkins. He then fired his two pistols with his left hand, and retreated, and made his escape.

"I went down at the head of five men on yesterday morning and found Sharkey, and took him and delivered him at Clinton. I have been the leader of a small party, never more than eight men. I have taken three prisoners, all of whom are now under trial at Clinton before a committee. I have no doubt but that all those at Livingston will be hung. I have not time to give you the particulars at present. It is certain that this country has been in a critical situation. (Plan:)—Cotton was to commence at Baite's Bluff's and proceed to Livingston, thence to Vernon, thence to Clinton, thence to Jackson, there to rob the bank, thence to Raimond, thence to Port Gibson, thence to Natchez. It was as well planned as it could have been. It is believed from Cotton's confession that there are some hundreds of whites engaged. I have not slept two hours in the twenty-four for six days and nights, and have been on horseback more than four fifths of the time. You may judge that I am not in a condition for writing. I have to hurry to Clinton this morning, and sent to a neighbor to get a horse, and concluded while waiting to write you a line. I will give you a thorough account in a few days. Five gamblers were hung in Vicksburg on the 5th inst. They killed Dr. Bodley in the attempt to take them. The mob took them and hung them all on one gallows in a few minutes after."

COMMERCE AND MANUFACTURES. The following statement of the progress of the commerce and manufactures of Great Britain is taken from the Glasgow Chronicle, and shows a wonderful increase of the productive labor of that nation.

	Imports. Official value.	*Exports. Real value of British produce.*
1832	£43 237 000	£36 046,000
1834	47,908,000	41,285,000
Increase	4,671,000	5,240,000

This increase appears the more remarkable when we take into account the great fall in the value of farm produce. The principal item is cotton.

	Official value of cotton imported.	*Real value of cotton manufactures exported.*
1832	£9,470,000	£17,350,000
1834	10,800,000	20,500,000
Increase	1,420,000	3,150,000

The official value, being calculated at prices fixed in the reign of king William, is of no other use but to denote quantity. According to the actual prices the increase of the value of the import in 1834 would be about 15,000,000. Great as the effects of such an increase of value have been in Great Britain, they must have been still more remarkable in America. The cotton raised last year in the United States exceeded 1,000,000 of bags, averaging 360 lbs. each. The prices from the end of 1834 to the end of 1835, rose about 3d. per lb. or 50 per cent. By this rise, therefore, the American planters will have gained an extra profit of 14,400,000. The consequence of such an accession of affluence will be a great extension of cultivation.

Ecclesiastical expenses. The following table showing the comparative expense of the church of England, and of Christianity in all other countries of the world, is taken from "Four years in Great Britain," by the rev. Calvin Colton, now in the press of the Harpers, and to be published in the course of a few days.

"*Comparative expense of the church of England and of Christianity in all other countries of the world.*

Name of the nations.	*Number of hearers.*	*Total amount of expenditure in each nation.*
France	32,000,000	£2,000,000
United States	9,600,000	576,000
Spain	11,000,000	1,100,000
Portugal	3,000,000	300,000
Hungary, Catholics	4,000,000	320,000
Calvinists	1,050,000	63,000
Lutherans	650,000	26,000
Italy	19,391,000	776,000
Austria	18,918,000	950,000
Switzerland	1,720,000	87,000
Prussia	10,536,000	527,000
German small states	12,763,000	765,000
Holland	2,000,000	160,000
Netherlands	6,000,000	252,000
Denmark	1,700,000	119,000
Sweden	3,400,000	238,000
Russia, Greek church	34,000,000	510,000
Catholics and Lutherans	8,000,000	400,000
Christians in Turkey	6,000,000	180,000
South America	15,000,000	450,000
Christians dispersed elsewhere	3,000,000	150,000
	203,728,000	9,949,000
England and Wales	6,500,000	9,459,565

An intelligent writer in the National Intelligencer, under the signature of 'Tacitus,' gives some interesting statistics of the religions of the world. His statement, however, of the sum total of the inhabitants of the earth is below the estimate usually given. He puts down the whole population at seven hundred and seventy-four million; most statistical writers make it between eight hundred and a thousand million. He gives the following table of the religious subdivision of the whole:

Christians,	260,000,000
Bouddhism,	200,000,000
Mahometans,	100,000,000
Brahmanism,	70,000,000
Judaism,	4,000,000
All other religious fetichism,	140,000,000
The Christians are divided as follows:	
Catholicism,	139,000,000
Greek church,	62,000,000
Protestants,	59,000,000

The Mahometans are divided into two sects, those of Omar and Ali, represented respectively by the Turks and Persians, and inveterately hostile to each other. The vast number under Bouddhism are divided between China and Japan. It is here that there is a numerical deficiency in the statement of the writer; the united population of these countries being generally supposed to be not less than four hundred millions. [*Balt. American.*

Cattle. Missouri and Illinois are admirably fitted for the raising of stock cattle, and will soon rival Ohio and the western part of Virginia in this profitable business. The Sangamon Journal of the 2d of July states, that a herd of eight hundred and sixteen, had left that neighborhood for the Philadelphia market—all of which were in fine condition. Large droves have also left the Salt River country for the Atlantic seaboard. The business of a drover is, perhaps, one of the most disagreeable and harrassing that is pursued—but few are better rewarded.

New Orleans and Nashville rail road. All the stock for this stupendous undertaking, required by the charter to organize the company, has been taken, and *Maurice W. Hoffman*, esq elected president; who is authorised to visit England for the purpose of examining the improvements in the construction of rail roads and the machinery used on them. The project is, indeed, magnificent, and will be accomplished, in comparitively, a few years.

General Jackson's toast. A toast transmitted by gen. Jackson to the friends of Mr. Wolf, who dined together on the 4th of July last, in the first congressional district of Pennsylvania, has been the subject of much controversy among the Jackson party in that state, which is divided on the gubernatorial election. The Wolf party contended that it was intended as a compliment to their man and their principles, and the friends of Muhlenberg that it was a commendation of their man and their principles. The following letter from the president has been published to settle the dispute.

Letter from the president.

Rip Raps, July 21, 1835.

Dear sir: Your letter of the 15th has just been received. It is only necessary for me to repeat in reply what I have explained at large in my former letter. My toast has not the least reference to any thing touching the present Pennsylvania election. It was a just tribute to the democracy of the state, and naturally associated with the sentiment in honor of the resistance it made to the bank the public agent through whom it was made effectual. The toast had reference to the past, and not to the present; and was dictated by grateful recollections, without design on my part to accomplish any future object, nor was it intended to express any preference in regard to the parties to the present gubernatorial contest.

If my opinions in regard to governor Wolf and general Muhlenberg are considered by you of any importance to the public, you have them already very seriously expressed in my first reply, which you are at liberty to publish if you please. I am, very respectfully, your most obedient servant,

Andrew Jackson.

Henry Horn, esq. Philadelphia.

Lafayette vase. Major Henry Lee, who is now in Paris, has addressed a letter to the Historical Institute of France, complaining that an artist who had been employed by the National Guards of France to prepare a magnificent vase, to be deposited with the family of Lafayette, as a testimony of regard for that great and good man, has deviated from accuracy in one of his leading historical designs. "On one face of the vase, Lafayette is represented as a conqueror, declining to receive the sword of the captive English general, at the surrender of York Town, to the combined army of the United States and France, and pointing to general Washington." Major Lee complains that this representation degrades general Washington to a secondary figure in a transaction in which he was the principal, and he quotes various accounts of the surrender of Cornwallis to demonstrate the inaccuracy of the artist's design, and calls upon the Historical Institute to "decide that the truth of history has not only been slighted, but outraged," by the inaccuracy.

"*First in war, first in peace and first in the hearts of his countrymen.*"

Judge Marshall was not the author of this celebrated phrase—general Henry Lee is entitled to the credit of it—the same eminent person that was appointed by congress in pursuance of their resolutions, to deliver an eulogy on Washington. Judge Marshall himself, in his life of Washington, states the fact that general Lee drafted the resolution containing the phrase, and that he (judge M.) offered the resolution in congress, on account of the occasional absence of gen. Lee from his seat. This explains the common mistake.

[*Alex. Gaz.*

Detroit, Michigan. The front of the farm owned by the present secretary of war, within the limits of Detroit, was sold a few weeks since for $100,000, and we notice another sale of fifty lots of the same estate, for the sum of $68,000. The entire farm was pur-

chased nineteen years ago for $12,000! A part of the farm of the heirs of the late gen. Porter, about seventy acres, situated two miles below the city, was recently sold for $19,340. The whole tract, containing three hundred and fifty acres, was purchased within the last two years for less than $6,000. If the spirit of speculation has no connection with these sales, Michigan must be advancing to prosperity with rapid strides, and Detroit soon become one of the most important cities in that entire section of country. It has many natural advantages, which enterprise and capital can convert into sources of great prosperity.

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We learn from Carthagena by a letter published in the New York Star, that "New Grenada has paid off a large portion of her internal debt, by the sale of quicksilver, and will probably pay the whole with the further sale of tobacco, quicksilver and landed property belonging to the state." The Grenadian congress at their late session, passed a law declaring money an article of commerce, and abolishing the usury laws. The cotton crop in New Granada has been much heavier this year than last.

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There was a novel and interesting feature in the celebration of the fourth of July at CORINTH, New Hampshire. The Bangor Republican states that "the procession was escorted from P. P. Pearson's hotel, by the Corinth light infantry, a fine and well disciplined company of young men, which had previously gallantly taken under escort a company of from 50 to 75 young ladies in tasteful uniform of straw bonnets and white dresses, becomingly ornamented with evergreen and blue ribbon, when the whole body moved to the meeting house, which was filled to overflowing. After the services were concluded, the procession re-formed, and conducted the ladies to a neat and tasteful arbor, where a separate table was spread and bountifully supplied, and *lemonade* provided for eliciting the pure and easy flow of sentiments, as may be found in connexion."

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Fanny Kemble's Journal is reviewed by the London critics, and a pretty tearing they give her. The Literary Gazette says:

"The work before us is deformed by graver faults than youthful imprudence and FEMALE IMPERTINENCE can excuse. There are a *flippancy* and VULGARITY about it which surprises us the more, coming from such a source; a presumption, and *a lack of the finer and higher qualities which adorn the female character*, which is vexatious to contemplate in one so gifted."

The Atheneum says:

"It turns out to be one of the most deplorable exhibitions of *vulgar thinking and vulgar expression that it ever fell to our lot to encounter.*" "The insane desire of being considered one who thought alone, combined with a love of every mischief, has, we apprehend, betrayed Mrs. Butler into a book, which she herself, in a short time, and which all her friends at once, will wish had never seen the light."

The London Spectator says:

"In short, she exemplifies the *beau ideal* of a green-room belle, whose head has been turned by flattery."

[*N. Y. Star.*

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There has been a great riot at *Detroit*—which commenced by collecting a number of Irishmen at a "*grocery*" for the purpose of assaulting a few sailors and citizens—and they "*laid timber upon them!*" When admonished to be quiet, they "damn'd the Yankees." They were, however, subdued.

If the spirit which so often displays itself is not checked, we shall either be as strangers in our own land, or else compelled to *fight* that we may enjoy it in *peace!*

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POSTAGE. The postmaster general has decided that a piece of paper, constituting the face of a seal affixed to a legal instrument or other document, sent by mail, is not chargeable with postage under the law.

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PENNSYLVANIA CANALS. At the town of Portsmouth, on the Pennsylvania canal, $37,364 04 were received for tolls for the months of April, May and June last. On the 18th inst. $12,173 were received at the collectors' offices, though ten had not made returns.

The annexed table exhibits the amount of canal tolls paid into the treasury during each month from the 1st of November last. The total exceeds by $200,000 the amount received during the corresponding period of the last year.

November, 1834	$25,486 30
December	33,128 84
January, 1835	22,571 05
February	8,993 17
March	11,065 22
April	59,883 90
May	51,808 27
June	102,312 24
July, to 14th	46,186 13
	$361,429 88

The amount yet in the hands of collectors must exceed $40,000—making the whole sum received on account of tolls from the close of the fiscal year of 1833–34, to the 14th instant, exceed four hundred thousand dollars.

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CONVENTION WITH RUSSIA. It will be recollected that a convention was concluded between the U. States and Russia in April, 1824, regulating various matters connected with the commerce and navigation of the two nations on the north west coast of America. By the fourth article it was stipulated that the ships of both nations might, during a term of ten years, frequent, without hindrance, the interior seas, gulfs, harbors and creeks of each nation on that coast, for the purpose of fishing and trading with the natives of the country. The ten years expired in April, 1834; and we understand that formal notice has been given, by the governor of the Russian colonies, to the masters of the American ships then trading there, that they could no longer claim, under the convention, the right of landing at all the landing places, without distinction, belonging to Russia on that coast. Those interested in the trade will not fail to observe, that, under the second article of convention, it is necessary for all American vessels, resorting to any point on that coast, where there is a Russian establishment, to obtain the permission of the governor and commander.

[*Globe.*

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SOMETHING CURIOUS. The other day, while at the house of general *William Disharoon*, of Louisiana, we were shewn two whole eggs, with the breast bone, and other parts of a wild duck, which were discovered embeded in a large cypress log, perfectly sound and solid. The eggs and bones were discovered while the log was being sawed up for lumber; and the only rational way in which we can account for this singular discovery is, that the tree originally had a hollow in it, in which the "unconscious" duck built her nest, and during the usual time of incubation, the hole, or opening, became closed by the rapid growth of the tree. From the appearance of the tree, and the place where the eggs and bones were taken from, it must have happened 15 or 20 years ago. We perforated one of the shells and found it empty.

[*Grand Gulf (Miss.) Advertiser.*

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EXTRAORDINARY CIRCUMSTANCE, and Providential escape from death. On Monday of last week, the hands employed in the quarry of Mr. Harman Lydacker, situated under the high range of mountains, below Slaughter's Landing, in this county, were alarmed by the cry of murder! proceeding from a female voice, but were totally unable to discover the source from whence it came. At the moment the crew of the sloop Henry Edward, which was passing down the river, saw something suspended at the side of the mountain resembling a female form. With commendable promptitude they immediately put about, dropt anchor and jumped into the small boat, rowed to the shore. On arriving at the foot of the mountain, they found it to be a young girl (aged about 16) hanging by one foot in a cedar bush, about 100 feet from the base, and 60 feet from the top of the perpendicular rock. To reach her from the bottom was impossible, and providing themselves with a rope, they hastened around to the top from which they lowered it. The unfortunate girl was yet able to fix it around her waist, and by this means, was drawn from her perilous situation,

and rescued from impending and almost certain death. She proved to be Miss Phebe Wells, a niece of Mr. Benedict Wells, who had left his residence without the knowledge of his family, with a view of going to New York to see her friends. Unacquainted with the passage of the mountains, it is supposed she was unaware of the danger until she found herself descending the precipice, and the rock being nearly perpendicular, her fall could only have been broken by the slight shrubbery which projects from the side of the cliff, until, luckily for her, she struck the cedar bush, in which her foot fortunately caught. Her situation here may be imagined, it cannot be described; hanging by one foot to a slender bush, and a yawning gulf of rocks and stones 100 feet below—unable to extricate herself, and for aught she knew, far beyond the reach of human call. It is not at all probable that in five hundred thousand cases, one could have passed the cliff she did, and not have been dashed to pieces long before reaching the bottom. She was not materially injured, and was conveyed to her friends in New York by the sloop Henry Edward; the captain and crew of which are entitled to the highest commendations for their promptitude and humanity. [*North River Times.*

JUNCTION OF THE RHINE AND THE DANUBE. Frankfort accounts of the 2d June, state, that "the project so long talked of and so important, of connecting the Danube and the Rhine, begins to assume probability. A company, under the direction of baron la *Fleche de Krudelstein*, and supported by the wealthiest bankers of Amsterdam and Germany, is making the necessary examinations and plans. Unless unforeseen accidents, or war—which is not likely—should occur to interrupt this enterprise, there is a good chance for the success of a scheme, tending to unite the Black to the North sea—through an intervening distance of nearly 1,200 miles.

EMIGRATION. From the first of January to the first of July, the number of emigrants landed at this port alone, is *fourteen thousand six hundred and seventy-four*, and up to the present time may be computed at upwards of *fifteen thousand;* and, as the winter months are generally unfavorable to emigration, we are safe in estimating the number which will arrive here in the year 1835, at *thirty thousand.* Of the late arrivals, we are informed by undoubted authority, that a greater portion of the emigrants were destitute, and required assistance almost upon their landing. Of the number arriving in various other parts of the union, we have no means of ascertaining. [*N. Y. Star.*

WHEAT. We have before us a specimen of the extraordinary increase of a grain of wheat, which, we think, we may safely challenge the whole country to equal. It was reared upon the farm of Mr. Ezra Doub, who resides within a couple of miles of our city. This single grain produced no less than twenty heads of wheat, which have been found, upon being accurately counted, to yield 1,486 grains. The number of grains upon each head ranges from 104 to 134. We may add that the wheat is of the finest quality, the product of this single grain weighing nearly two ounces. No wonder our farmers grow rich, when their fields thus return them nearly fifteen hundred fold for their labor. [*Fred. Md. Examiner.*

It is stated in the Journal of Commerce that the cultivation of silk is rapidly spreading in Connecticut and Massachusetts—insomuch that the seed of the mulberry has become quite an article of trade, and mills for spinning and weaving are building in various places in those states.

A STRANGE FISH. A sea monster has been caught somewhere in the neighborhood of Norfolk, which is thus described by the Norfolk Beacon:

"Its general outline is that of a turtle, the fins or flappers being much longer. The whole fish is covered with a shining black cuticle or outer skin, (easily removed), with the exception of the top of the head and the spinous processes of the back, which are white, with irregular outlines, as if it had been rubbed in three places. Immediately under the skin is a bony covering, extending over the back and down the sides, ridged with seven or nine bony prominences or spines, running nearly parallel with the back bone. The head is that of a turtle, with the upper lip or bill notched, so as to form two prominent pointed teeth or tusks. The throat and inner part of the mouth is fretted with spikes about two lines thick at the base, an inch long, of a horny substance, hanging loosely, but looking towards the throat, so as to permit a ready entrance, and completely preventing regurgitation, or egress. It measures eight feet in length, and nine feet from tip to tip across the fins.

REVOLUTIONARY ANECDOTE. In connection with his account of the services of the society of Friends, by which Pennsylvania has been elevated and enriched, Mr. *G. M. Dallas*, in an oration lately pronounced on a public occasion, relates a well authenticated incident of the revolutionary contest, showing how, consistently with their peculiar opinions, they proved themselves efficient champions of the nation.

"That we contributed our quota of wisdom and valor towards independence is readily felt, as the names of FRANKLIN, DICKINSON, MCKEAN, MIFFLIN and RUSH, are recalled: but it was perhaps singularly characteristic, that another of our citizens, without whose fertility of genius, unbounded credit, and untiring exertions, the movements of our armies must have been palsied, if not fatally defeated, often and at times of fiercest trial derived from the sympathy and confidence of the non combatant class of our people the essential resources and sinews of war. It was in the winter of 1776, while WASHINGTON and liberty lingered in solicitous suspense on the neighboring site of New Hope, while a total destitution of means threatened to verify the gloomiest forebodings, and when even the unrivalled vigor and felicity of finance which coped with every crisis, yielded to exhaustion and despondency, that ROBERT MORRIS, slowly and sorrowfully retiring from scenes of disappointed effort into solitude, encountered, as if by accident, a now unknown and unnamed '*friend.*' With the impetuous energy of despair, he depicted the emergency and the wants of his country, and implored relief for the endangered cause of America. 'THOU SHALT HAVE IT!' was the prompt, laconic and resolute reply: and it forthwith came to reanimate the drooping forces of our immortal chief, and to impel them onward through the snows and ice and tempests of the dreariest season, to battle with hireling Hessians, and to achieve the victory of Trenton. Strange but admirable union of private sentiment and social duty! harmonizing the utmost humility of pretension with the loftiest aims of patriotism, and signally illustrating, at the most eventful period, both the morals and the politics of our founder."

It is stated in the English papers as a curious fact, that the late administration is the only one known in the history of England that has never appeared in the Almanac—having taken office in November, after last year's Almanacs were printed, and having been turned out before the Almanacs for the next year were in type.

ITEMS.

It is stated in the Cincinnati Daily Gazette, that *E. A. Brown*, of Ohio, has been appointed commissioner of the general land office, in the place of *Elijah Hayward*, resigned. Mr. Brown was formerly minister to Brazil.

Lumber. It is stated in one of the Norfolk papers that upwards of twelve millions superficial feet of lumber have been carried to the Baltimore market this season, from the Susquehannah river, all of which met with an immediate sale, at an advance of from 12 to 15 per cent. over former prices. One *float* contained six acres in measurement, as it rested, raft-stowed, on the water; and another upwards of eight acres!

The scavenger duties of New Orleans are performed by female negro prisoners sentenced to the calaboose—and at a late date *nine* of these were the only persons employed in cleansing the streets of filth and dirt! In such a state of things it is no wonder that epidemics prevail so extensively and fatally.

A duel was fought between two boys in South Carolina, on the 7th inst. in which one of the parties was killed at the first fire. The survivor, a clerk in an auction store, coolly returned to his duties when he had finished the *business*.

A state convention of the mechanics is to be holden at Utica, N. Y. on the third Wednesday of August inst. to devise means to put down the state prison monopoly.

Two individuals, whites, have been arrested in Charleston, S. C. charged with stealing seven negroes and three Indians. They were taken before judge Bay, on a writ of *habeas corpus*, and discharged for the want of sufficient evidence; but in a few hours after, additional testimony having been received, they were again arrested and committed to prison. The negroes were taken from the neighborhood of Fort Mitchell, Geo.

Albany, N. Y. has been the scene of riot occasioned by the arrest of a fugitive slave from Virginia, who was handed over to his owner and committed to prison. On the following day a large mob surrounded the prison, and when the negro was brought out, with the view of being put on board of the steamboat, the threats and pressure of the mob prevented it, and he was taken back to the jail. In order to effect his return, it was

found necessary to call on the Burgesses corps of infantry, then assembled in their armory, for assistance, which was promptly rendered.

While the volunteer corps were returning to their armory, the mob turned upon them, and assaulted them with stones, &c. by which one or two of the company were injured. No other outrages had been committed, and the most efficient measures had been taken to preserve the public peace.

FOREIGN NEWS.

From London papers of the 15th and Paris papers of the 18th of June.

The Paris Moniteur contains the law for the payment of the American claims agreeably to the votes of the two chambers. In the course of the debate on the final passage of the bill, M. the baron Maunier required that the government should not lose sight of the interests of those who ceded land in Louisiana, and thought that the 1,500,000 francs reserved would not meet the claims that would arise. In reply M. de Broglie said that the government would support these claims as it always had done. The vote was then taken on the passage of the whole bill, and resulted as follows: white balls 125—black balls 22. Majority in favor of the bill 103. The chamber of peers had adjourned *sine die.*

The Constitutionnel gives details of a conference between the duke de Broglie and lord Granville, the British minister, on the subject of the intervention. The question is said to have been considered under three heads, viz: financial, military and commercial. As to the first it is said to have been agreed, taking into consideration the embarrassed state of the Spanish finances, that each of the parties to the quadruple treaty shall advance the expenses of its interference—England that of arms, ammunition, and the troops raised in that country; France of the foreign legion, and Portugal of the auxiliary division. Belgium also is to be invited to assist, under the guarantee of France and England for repayment. The debt thus incurred by Spain to be liquidated, after the expulsion of Don Carlos, by instalments.

On the second point, lord Granville is said to have been urgent in advising speedy movements, and to have declared that the expedition should be ready to sail from England by the end of July. M. de Broglie promised that the foreign legion should be in Spain before the time, but doubts are expressed whether some difficulties with the northern cabinets will not create delay.

A royal ordonnance of the 4th April, 1835, has suppressed the quarantine law of observation imposed on vessels of the United States, when they arrive with clean bills of health. A second article of the same ordonnance decides that bales of cotton coming from the United States of America, shall henceforward neither be opened nor unladen in the lazarettos whatever may be the state of the health of the crew of the vessel which brought them.

The trials of the peers was still progressing.

The duke of Wellington has withdrawn his notice of a motion relative to Spanish affairs; and recruits for the Spanish service were enlisting in great numbers. The French government has also issued an ordonnance permitting its citizens to engage in the service of Spain without forfeiting any of their privileges.

The Spanish minister de la Rosa has resigned, and been succeeded by the count de Toreno; who is more resolute, but will continue the same course of policy.

Some skirmishes had taken place between the queen's troops and the Carlists, but no important advantages had been gained by either party.

THE VICKSBURG TRAGEDY.

Vicksburg, (Miss.) July 9th.

The following account of some proceedings of the citizens of this town, which will excite the attention of the public, was prepared by a witness of the acts detailed, and the correctness of the account may be relied on:

Our city has for some days past been the theatre of the most novel and startling scene that we have ever witnessed. While we regret that the necessity for such scenes should have existed, we are proud of the public spirit and indignation against offenders displayed by the citizens, and congratulate them on having at length banished a class of individuals, whose shameless vices and daring outrages have long poisoned the springs of morality, and interrupted the relations of society. For years past, professional gamblers, destitute of all sense of moral obligations—unconnected with society by any of its ordinary ties, and intent only on the gratification of their avarice—have made Vicksburg their place of rendezvous—and, in the very bosom of our society, boldly plotted their vile and lawless machinations. Here, as every where else, the laws of the country were found wholly ineffectual for the punishment of these individuals, and, emboldened by impunity, their numbers and their crimes have daily continued to multiply. Every species of transgression followed in their train. They supported a large number of tippling houses, to which they would decoy the youthful and unsuspecting, and, after stripping them of their possessions, send them forth into the world the ready and desperate instruments of vice.

Our streets every where resounded with the echoes of their drunken and obscene mirth, and no citizen was secure from their villainy. Frequently in armed bodies, they have disturbed the good order of public assemblages, insulted our citizens, and defied our civil authorities. Thus had they continued to grow bolder in their wickedness, and more formidable in their numbers, until Saturday, the fourth of July, instant, when our citizens had assembled, together with the corps of Vicksburg volunteers, at the barbacue, to celebrate the day by the usual festivities. After dinner, and during the delivery of the toasts, one of the officers attempted to enforce order and silence at the table, when one of these gamblers, whose name is Cakler, who had impudently thrust himself into the company, insulted the officer, and struck one of the citizens. Indignation immediately rose high, and it was only by the interference of the commandant that he was saved from instantaneous punishment. He was, however, permitted to retire, and the company dispersed.

The military corps proceeded to the public square of the city, and information was received that Cakler was coming up armed, and resolved to kill one of the volunteers who had been most active in expelling him from the table. Knowing his desperate character—two of the corps instantly stept forward and arrested him. A loaded pistol, a large knife and a dagger were found on his person, all of which he had procured since he had separated from the company. To liberate him, would have been to devote several of the most respectable members of the company to his vengeance, and to proceed against him at law would have been mere mockery, inasmuch, as, not having had the opportunity of consummating his design, no adequate punishment could have been inflicted on him. Consequently it was determined to take him into the woods and *Lynch* him—which is a mode of punishment provided for such as become obnoxious in a manner which the law cannot reach. He was immediately carried out under a guard, attended by a crowd of respectable citizens—tied to a tree, punished with stripes—tarred and feathered; and ordered to leave the city in forty-eight hours. In the meantime one of his comrades, the Lucifer of the gang, had been endeavoring to rally and arm his confederates for the purpose of rescuing him; which however he failed to accomplish.

Having thus aggravated the whole band of these desperadoes, and feeling no security against their vengeance, the citizens met at night in the court house, in a large number, and there passed the following resolutions:

Resolved, That a notice be given all professional gamblers, that the citizens of Vicksburg are *resolved* to exclude them from this place and its vicinity; and that twenty four hours notice be given them to leave the place.

Resolved, That all persons permitting faro dealing in their houses, be also notified that they will be prosecuted therefor.

Resolved, That one hundred copies of the foregoing resolutions be printed and stuck up at the corners of the streets—and that this publication be deemed notice.

On Sunday morning, one of these notices was posted at the corners of each square of the city. During that day (the 5th instant) a majority of the gang, terrified by the threats of the citizens, dispersed in different directions, without making any opposition. It was sincerely hoped that the remainder would follow their example, and thus prevent a bloody termination of the strife which had commenced. On the morning of the 6th, the military corps, followed by a file of several hundred citizens, marched to each suspected house, and, sending in an examining committee, dragged out every faro table and other gambling apparatus that could be found. At length they approached a house which was occupied by one of the most profligate of the gang, whose name was North, and in which it was understood that a garrison of armed men had been stationed. All hoped that these wretches would be intimidated by the superior numbers of their assailants, and surrender themselves at discretion, rather than attempt a desperate defence. The house being surrounded, the back door was burst open, when four or five shots were fired from the interior, one of which instantly killed Dr. Hugh S. Bodley, a citizen universally beloved and respected. The interior was so dark that the villains could not be seen; but several of the citizens, guided by the flash of their guns, returned their fire. A yell from one of the party announced that one of these shots had been effectual; and by this time a crowd of citizens, their indignation overcoming all other feelings, burst open every door of the building, and dragged into the light those who had not been wounded.

North, the ringleader, who had contrived this desperate plot, could not be found in the building, but was apprehended by a citizen, while attempting, in company with another, to make his escape, at a place not far distant. Himself, with the rest of the prisoners, were then conducted in silence to the scaffold. One of them, not having been in the building before it was attacked, nor appearing to be concerned with the rest, except that he was the brother of one of them, was liberated. The remaining number of five, among whom was the individual who had been shot, but who still lived, were immediately executed in presence of the assembled multitude. All sympathy for the wretches was completely merged in detestation and horror of their crime. The whole procession then returned to the city, collected all the faro tables into a pile and burnt them. This being done, a troop of horsemen set out for a neighboring house to the residence of Hord, the individual who had attempted to organize a force on the day of this disturbance, for the rescue of Cakler, and had since threatened to fire the city. He had, however, made his escape on that day, and the next morning crossed the Big Black, at Baldwin's ferry, in a state of indescribable consternation. We lament his

escape, as his whole course of life, for the last three years, has exhibited the most shameless profligacy, and been a continual series of transgressions against the laws of God and man.

The names of the individuals who perished were as follows: North, Hallums, Dutch Bill, Smith and McCall.

Their bodies were cut down on the morning after execution, and buried in a ditch.

It is not expected that this act will pass without censure from those who had not an opportunity of knowing and feeling the dire necessity out of which it originated. The laws, however severe in the provision, have never been sufficient to correct a vice which must be established by positive proof, and cannot, like others, be shown from circumstantial testimony. It is practised, too, by individuals whose whole study is to violate the law in such a manner as to evade its punishment, and who never are in want of secret confederates to swear them out of their difficulties, whose oaths cannot be impeached for any specific cause. We had borne with their enormities, until to have suffered them any longer would not only have proved us to be destitute of every manly sentiment, but would also have implicated us in the guilt of accessories to their crimes.

Society may be compared to the elements, which, although "order is their first law," can sometimes be purified only by a storm. Whatever, therefore, sickly sensibility or mawkish philanthropy may say against the course pursued by us, we hope that our citizens will not relax the code of punishment which they have enacted against this infamous, unprincipled and baleful class of society—and we invite Natchez, Jackson, Columbus, Warrenton and all our sister towns throughout the state, in the name of our insulted laws—of offended virtue, and of slaughtered innocence, to aid us in exterminating this deep-rooted vice from our land.

The revolution has been conducted here by the most respectable citizens, heads of families, members of all classes, professions and pursuits. None have been heard to utter a syllable of censure against either the act or the manner in which it was performed.

An anti-gambling society has been formed, the members of which have pledged their lives, fortunes and sacred honors, for the suppression of gambling, and the punishment and expulsion of gamblers.

And, so far as we know, public opinion, both in town and country, is decidedly in favor of the course pursued. We have never known the public so unanimous on any subject.

Since the above was in type, we see it stated on the authority of a letter received in Cincinnati, that eighteen more of the gamblers had been taken, after a severe chase, (in which several of the pursuing party were killed), and were waiting execution under the same summary law.

ABOLITION.

Meeting of southern gentlemen in New York on the subject of abolition.

From the Courier and Enquirer.

A meeting called for this purpose some days since, was held at Tammany Hall on Monday evening the 20th inst. An eloquent preamble and resolutions were adopted, and several gentlemen addressed the meeting. We are unable to give the proceedings at length, and have only room to give a very scanty outline of the speeches of one or two of the gentlemen. Dr. David C. Carr, of New Orleans, was in the chair, John Hutchins, esq. of Mississippi, acted as vice president, and col. Sparks, of Louisiana, was appointed secretary.

Col. Foster, of Georgia, said that he very unexpectedly came to the meeting, which he would not have done did he anticipate such a resolution as the one which was just read. As, however, he was at the meeting, he felt bound to express his dissent from the resolution. He objected to it in the first place, because it gave too much importance to a set of fanatics, whom he believed had not the power to do mischief, and therefore he would not hold out such an idea to the country. Let the meeting but contemplate the consequences of this resolution; supposing it to be passed, and that the southern states concurred in it, and held a convention on the borders of Carolina or Kentucky; might not such a convention of slave holding states impress the country with the idea that there was going to be a dissolution of the union. Any idea of this sort was, however, mere gasconading and nonsense. All the people of the south wanted, was to protect their property. The south itself would not approve of such a meeting, for the southerners did not believe that the fanatics possessed any influence whatever. He wished to let the north see that the south relied upon it, and as for the fanatics, he defied them.

Col. Knapp, of this city, also addressed the meeting, as did Mr. Sparks, gen. Flournoy, of Georgia, &c. Judge Pickett, of Alabama, spoke as follows:

The state of his health and a want of preparation should (he said) admonish him of the impropriety of saying any thing. He arrived here but yesterday, and was not apprised until a day or two since of the proposed call. He considered it altogether unnecessary and premature, and had he been here at the assembly which originated this meeting, he should have opposed it. He came here *now*, more to allay excitement than to *discuss the question*—to pour oil upon the already too much troubled waters, rather than increase the agitation. He was decidedly in favor of striking out the resolution introduced by the committee. He saw no occasion to give such importance, (as the resolution contemplated), to the efforts of those deluded men, (the abolitionists). He had spent the last six weeks in the eastern states, and had conversed freely with many of the most intelligent gentlemen in the country, and had been pleased to learn that the great bulk of the people were utterly opposed to agitating or intermeddling with this matter. They considered it a *local* question, which the constitution, as well as every sentiment of humanity, forbade them to touch. Why then recommend a call of a convention of the southern states? It would not only tend to foment jealousies between the north and south, but it would be giving an importance to the efforts of the abolitionists, which circumstances do not justify. Judge P. said he had an abiding confidence in the intelligence and fraternal feeling of his northern brethren on this important question, and viewing it in this light, he was in favor of striking out the original resolution for the purpose of adopting the substitute, as embraced in the two resolutions last offered.

The following resolutions were moved and carried, by way of substitute for those annexed to the preamble; after the passage of which the meeting adjourned.

Resolved, That whether slavery in our country be an *evil* or not, it is a question belonging solely to the states in which it is tolerated, and whether it shall be continued or abolished, is also a question which belongs solely to those states to determine.

Resolved, That the people of the south cannot for a moment indulge any serious apprehension, that the efforts of the abolitionists, on the subject of slavery, can seriously affect public opinion, even in the north; and that we rely with confidence on the intelligence of our northern brethren to frustrate and defeat the mischievous schemes of designing demagogues and deluded fanatics. But should a crisis, which we earnestly deprecate, unhappily arrive, we warn our fellow citizens that our rights of property are sacred and will be maintained.

Judge Pickett moved that the resolutions be put separately, which was accordingly done, and passed with only two dissenting voices.

A resolution was then passed, to publish the preamble and resolutions in all the papers of this city—and another thanking the chairman for his conduct in presiding.

MR. RANDOLPH'S WILL.

From the Richmond Enquirer.

So much curiosity has been expressed to see the will which has just been admitted to probat, that we have obtained a copy, and lay it before our readers. It is a remarkable document. It is stamped with the originality and genius of that extraordinary man:

"*In the name of God, amen*—I, John Randolph, of Roanoke, in the county of Charlotte, and commonwealth of Virginia, do ordain and appoint this my last will and testament, hereby revoking all other wills and testaments and codicils whatsoever, in manner and form following—that is to say: On this first day of January, one thousand eight hundred and thirty-two, to which I have set my hand and affixed my seal, binding my heirs and assigns forever—

I give and bequeath all my estate, real and personal, in possession or action, reversion or remainder, to John C. Bryan, only son of John Randolph Bryan and Elizabeth Coalter his wife, daughter of my dear sister Fanny, for and during the life of the said John C. Bryan, with remainder to his eldest son, in fee simple, to him and his heirs forever, and, in defect of such issue, then to the son of Henry St. George Tucker, called John Randolph, after me, for and during his natural life, with remainder to his eldest son, and, in defect of any such issue, then to Tudor Tucker, brother of the aforesaid Randolph Tucker, for and during his natural life, with remainder to his eldest son.

And I do hereby appoint my friends, Wm. Leigh of Halifax, and my brother, Henry St. George Tucker, president of the court of appeals, executors of this my last will and testament; requiring them to sell all the slaves and other personal or perishable property, and vest the proceeds in bank stock of the bank of the United States, and in default of there being no such bank, (which may God grant, for the safety of our liberties), in the English three per cent. consols, and in case of there being no such stocks (which also may God also grant for the salvation of Old England), then in the United States three per cent. stock, or in default of such stock, in mortages on land in England.

From the sale of my perishable property I except my library, books, maps, charts and engravings, included, my pictures, plate, household linen and the furniture of my bed chamber in the old house, and all the furniture in the new house, wines, together with such other articles as my said executors may deem proper to keep for the benefit of the heir. And my will and desire is, that my said executors may select from among my slaves a number, not exceeding one hundred for the use of the heir, the remainder to be sold. I also desire that my Bushy Forest tract of land may be sold and made chargeable with such debts, and legacies as hereafter I may see fit to give, when I shall have more leisure to make my will—this being made in consequence of having cancelled a former will this night, in presence of William Leigh aforesaid, the sole executor under that will, and joint executor under this will, which I make to guard against the possibility of dying intestate.

I have in the bank of Virginia upwards of 20,000 dollars, of which sum I desire payment to be made for the land purchased

by me the day before yesterday, of Elisha E. Hundley, and I bequeath the remainder to be equally divided between my said executors, Wm. Leigh, and H. S. G. Tucker, esquires—and I further charge my Bushy Forest estate with a further legacy to J. Randolph Leigh, youngest son of Wm. Leigh aforesaid, of five thousand dollars.

And it is my will and desire, that no inventory be taken of my estate, except of slaves and horses, and that no security be given by or required of my said executors, having full faith in their honor; neither shall they be held to account to any court or person whatsoever, for their discharge of this trust so confided by me in them.

To Dr. John Brockenbrough, I leave all my French plate, now in Richmond at J. P. Taylor's. Also my chariot and harness, and the horses called John Bull and Jonathan, alias John W.

To John Wickham, esquire, my best of friends without making any professions of friendship for me, and the best and wisest man I ever knew, except Mr. Macon, I bequeath my mare Flora and my stallion Gascoigne, together with two old-fashioned, double handled silver cups and two tankards, unengraved—the cups are here and the tankards or cans in Richmond, and I desire that he will have his arms engraved upon them, and at the bottom these words, "from J. R. of Roanoke to John Wickham, esquire, a token of the respect and gratitude which he never ceased to feel for his unparalleled kindness, courtesy and services."

To Nathaniel Macon I give and bequeath my oldest high silver candlesticks, my silver punch ladle with whalebone handle, a pair of silver cans with handles and my crest engraved thereon, my hard metal dishes that have my crest of J. R. in old English letters engraved thereon, also the plates with the same engraving, the choice of four of my best young mares and geldings, and the gold watch by Roskell, that was Tudor's, with the gold chain, and may every blessing attend him, the best and purest and wisest man that I ever knew. To my brother Henry Tucker, my gold watch by Barwise. The chronometer by Arnold, and knives and forks, &c. from Rodgers, to go to the heir. To Wm. Leigh, all duplicates of my books, and my brood mares Last Chance and Amy. To H. Tucker, Young Whalebone and Young Never Tire, also Topaz and Janus, and Camilla, and Marcella.

JOHN RANDOLPH of Roanoke.

MR. LIVINGSTON—AT PHILADELPHIA.

After the toast complimentary to himself, (inserted in page 361) given by Mr. *Dallas*, Mr. *Livingston* rose and said—

Fellow citizens: Overcome as I am by the enthusiastic testimony you have just given of approbation and applause, if the expression of my gratitude should appear simple and unadorned, I pray you to consider that it comes direct from the heart, and that I have not the talent to array it in the florid language usually employed on similar occasions.

All I can say under the feelings which agitate me is, that I thank you, my fellow citizens, I thank you sincerely, from my heart I thank you. Much for myself, more, much more, for our common country; for you have but recorded its voice in the shouts you have just uttered, which proclaim, in language not to be misunderstood, that democratic republics are as tenacious of their dignity, and as sensitive to any imputation on their national honor, as the proudest monarchy. The case that has drawn forth this noble expression of national feeling, is of novel occurrence. Heretofore we have contended for rights withheld, for interests invaded—we contended manfully, successfully, but never with perfect unanimity. Now we are called on to consider a question of national dignity, unmingled with any other consideration, and the country shows by its unexampled unanimity, that it considers this last as of paramount importance. Lost rights may be recovered; the battles of freedom, though "sometimes lost," are, in the end, "always won." Injuries to interest may be repaired; but the reputation of a country once lost can never be regained.

The people of the United States seem to be deeply sensible of this great truth, and the cry which I first heard on my arrival, of "*No apology! No concession!*" has been repeated by the unanimous voice of the nation from the seaboard to the mountains, from the mountains to the great lakes and the valleys of the Mississippi. Not only all the prejudices of party seem lost in this national spirit, but strong personal interests give way to the patriotic feeling, which prompts even those who are interested in the claims on France to reject, with disdain, the idea of purchasing their payment by an act of national dishonor. I renew, therefore, my congratulations to you and to the country on the noble spirit which pervades it.

The occasion which has brought you together adds one more to the many preceding refutations of the charge of ingratitude against republics, for the people have, on this occasion, most generously repaid moderate services, ordinary talents and humble efforts, by the highest of all rewards, their approbation and applause.

No! republics are not ungrateful! The charge is made by the sordid and the vain, who think nothing valuable but gold, nothing honorable but titles, and that gaudy ribbons are the proper recompense for merit. No, gentlemen, republics are not ungrateful, but they are judicious in their choice of rewards. They do not give hereditary honors to virtue and wisdom which may descend to folly and vice. They do not wring its earnings from the hard hand of labor, that it may be poured out in pensions on the idle and unworthy. They do not decorate with stars and spangled garters—with ribbons and crosses and gewgaws, men who if they have done any thing that may seem to have deserved these childish toys, may afterwards prove unworthy of the decoration. But they give a nobler, a higher recompense for services—they give their confidence, and the seal of their approbation is a prouder *distinction* than any that dangles from the button hole, or is embroidered on the breast of the titled courtier; and I feel myself more honored as well as gratified by the applauding voice of my fellow citizens—by the grasp of their friendly hands, some of them hard with honest labor—by their countenances beaming with the fire of patriotism, infinitely more honored than I could be by any titular appendage to my name that a monarch could bestow.

It would be the basest want of gratitude in me were I to complain of that of my country. In my case this noble reward has been bestowed with an undeserved profusion. Good intentions, some diligence—a love of country common to me with all of you, and much zeal for its honor, have received that which would strictly have been due to successful talent. I was sent to procure payment of a debt long due to our fellow citizens, and I have returned empty handed. I was instructed to reconcile the jarring interests of our country with that to which I was sent, and I have left them more embroiled than ever. I have returned then, as the lawyers say, *re infecta*, totally without success. Yet my return has been welcomed as if my mission had been crowned with complete success. Why is this? Simply because circumstances placed me in a situation to assert the honor and dignity of my country—to strike a chord that vibrated through every American heart, and to do it in a manner which every one approves, because every one feels that in the same situation he would have done the like.

Yet my mission has not been totally without effect. Two points of importance have been gained: the ministry of France was brought early in the negotiation, to the formal recognition, that the treaty once concluded, bound the faith of the nation; and those who contended for the right of the legislature to interfere, have, after the exercise of that right, found that more than the sum stipulated to be paid was strictly due.

Other points remain to be decided. Whether that sum thus acknowledged to be due can be withheld in satisfaction for an imaginary insult.

Whether the pledged faith of a nation can be redeemed in any other way than by a performance of its engagements.

And whether a high minded gallant people will submit to an appreciation of its dignity in francs and centimes.

Whatever may be the solution of these questions on the other side of the water, there is but one on this.

It is to be hoped that the amicable relations between the two countries may not be put on this issue. Honorable means have been offered to the ministry of France to retrace their steps. The desire which the king has always manifested to preserve the relations of amity with this country—the zeal and ability with which in the late debate, his ministers have seconded this desire, would lead to an expectation that their adherence to the extraordinary and inadmissible condition annexed to the law was the result of uncontrolable circumstances; and that a regard as well to national faith as to the reputation of their country and the prerogative of the crown, will induce them to abandon the ground thus inconsiderately taken.

In the meantime our conduct ought to be guided by the sentiment which I beg leave to offer:

"Energetic resolve, calmly expressed: it is more dignified, and will be more efficient than violence or invective."

Mr. Livingston sat down amid repeated and enthusiastic cheers, by which indeed he was repeatedly interrupted during the progress of his eloquent and admirable remarks.

OHIO AND MICHIGAN.

We learn from the Buffalo N. Y. Advocate, that fresh difficulties have arisen out of the position in which Michigan and her neighboring state have for sometime past placed themselves.

It appears that a constable from Michigan, named Truman Heminway, was knocked down in the village of Toledo by some of the friends of Ohio, while himself attempting to knock down some property at public sale. It is stated that the matter was not a question relative to boundary jurisdiction, but grew in some measure out of an excitement about the validity of the judgment for which the property was seized.

But a much more serious circumstance subsequently occurred at the same place, which was productive of most painful results. Mr. Joseph Wood, a deputy sheriff of Monroe county, Michigan, having some legal process from the court of said county, for several individuals in Toledo, proceeded to that place, and attempted to serve such process on Mr. *Two Stickney*, son of major Stickney; but the young man in resisting the officer, stabbed him in the left side with a dirk knife—inflicting a severe wound, which was at first supposed fatal, but from which Mr. Wood is since in a fair way of recovery.

Stickney has left the territory, and the acting governor has offered a reward of two hundred dollars for his apprehension and delivery to the sheriff of Monroe county.

The acting governor has also issued his proclamation, convening a special session of the legislative council of the territory, on the 17th proximo; stating that "matters of import, involving the rights and interests of the territory, require the consideration of the council."

The Sentinel says the object of the session is to ascertain, through that body, the sense of the people on the question, whether Michigan shall yield, concurrently, any portion of her jurisdiction to the state of Ohio.

From the Detroit Free Press of the 15th ult.

Upon inquiry, we learn that these matters have relation to our difficulties with the state of Ohio. It appears, that immediately after the late adjournment of the legislature of Ohio, three gentlemen were sent to Washington by gov. Lucas, "to bring about a more full and satisfactory understanding, than is believed at present to exist" in relation, it is presumed, to the claim of Ohio to a portion of the territory of Michigan. The three gentlemen were Messrs. Swayne, Allen and Disney. In their written communication to the secretary of state, they were not only extremely cautious in stating their objects, but disavow their appearance at Washington in any other character than that of "private citizens."

They state to the honorable secretary, that the arrangement entered into at Perrysburg, on the 7th of April last, between gov. Lucas, Mr. Rush and Mr. Howard, provided:

1. That Harris's line should be run and re marked, pursuant to the act of the legislature of Ohio, without interruption.

2 That both parties should abstain from the forcible exercise of jurisdiction upon the disputed territory, until after the close of the next session of congress.

They proceed further to state what Ohio expects and desires under the act to carry into effect this arrangement. It is, that the authorities of Michigan shall not interrupt the running and re-marking of Harris's line by Ohio; that the prosecutions commenced in Michigan against citizens of Ohio shall be discontinued, and the recognizances discharged for the appearance of the defendants; and that the authorities of Michigan abstain from instituting any new prosecutions under the act of February last, until the close of the next session of congress.

We learn that the secretary of state intimated to the Ohio gentlemen, and explicitly informs our executive that Mr. Rush and Mr. Howard had no instructions to enter into the arrangement imputed to them in the law of Ohio, and by the governor and other persons of that state; and that the department of state had never been advised by those commissioners of their having proposed such an arrangement. The president, nevertheless, anxious to preserve the public tranquillity, and prevent collisions that would bring dishonor on the country, recommends, as the secretary of state informs both parties, such a course to the authorities of Michigan as shall, without prejudice to the rights of either, meet the wishes of all, and effect the great object he has in view, the preservation of the peace and tranquillity of the country.

DEBATE ON EXECUTIVE PATRONAGE.

Mr. *Webster* said, the professed object of this bill was the reduction of executive influence and patronage. I concur, said Mr. W. in the propriety of that object. Having no wish to diminish or to control, in the slightest degree, the constitutional and legal authority of the presidential office, I yet think that the indirect, and vastly increasing influence which it possesses, and which arises from the power of bestowing office, and of taking it away again at pleasure, and from the manner in which that power seems now to be systematically exercised, is productive of serious evils.

The extent of the patronage springing from this power of appointment and removal, is so great, that it brings a dangerous mass of private and personal interests into operation in all great public elections and public questions. This is a mischief which has reached, already, an alarming height. The principle of republican governments, we are taught, is public virtue; and, whatever tends either to corrupt this principle, to debase it, or to weaken its force, tends, in the same degree, to the final overthrow of such governments. Our representative systems suppose, that, in exercising the high right of suffrage, the greatest of all political rights, and in forming opinions on great public measures, men will act conscientiously, under the influence of public principle and patriotic duty; and that, in supporting or opposing men or measures, there will be a general prevalence of honest, intelligent judgment, and manly independence. These presumptions lie at the foundation of all hope of maintaining governments entirely popular. Whenever personal, individual, or selfish motives influence the conduct of individuals on public questions, they affect the safety of the whole system. When these motives run deep and wide, and come in serious conflict with higher, purer and more patriotic purposes, they greatly endanger that system; and all will admit that, if their extent become general and overwhelming, so that all public principle is lost sight of, and every election becomes a mere scramble for office, the system inevitably must fail. Every wise man, in and out of government, will endeavor, therefore, to promote the ascendancy of public virtue, and public principle; and to restrain, as far as practicable, in the actual operation of our institutions, the influence of selfish and private interests.

I concur with those who think that, looking to the present, and looking also to the future, and regarding all the probabilities of what is before us, as to the qualities which shall belong to those who may fill the executive chair, it is important to the stability of government, and the welfare of the people, that there should be a check to the progress of official influence and patronage. The unlimited power to grant office, and to take it away, gives a command over the hopes and fears of a vast multitude of men. It is generally true, that he who controls another man's means of living, controls his will. Where there are favors to be granted, there are usually enough to sue for them; and when favors, once granted, may be withdrawn at pleasure, there is ordinarily little security for personal independence of character. The power of giving office thus affects the fears of all who are in, and the hopes of all who are out. Those who are out, endeavor to distinguish themselves by active political friendship, by warm personal devotion, by clamorous support of men in whose hands is the power of reward; while those who are in, ordinarily take care that others shall not surpass them in such qualities, or such conduct, as are most likely to secure favor. They resolve not to be outdone in any of the works of partisanship. The consequence of all this is obvious. A competition ensues, not of patriotic labors, not of rough and severe toils for the public good, not of manliness, independence and public spirit; but of complaisance, of indiscriminate support of executive measures, of pliant subserviency and gross adulation. All throng and rush together to the altar of man-worship; and there they offer sacrifices, and pour out libations, till the thick fumes of their incense turn their own heads, and turn, also, the head of him who is the object of their idolatry.

The existence of parties in popular governments is not to be avoided; and if they are formed on constitutional questions, or in regard to great measures of public policy, and do not run to excessive length, it may be admitted that, on the whole, they do no great harm. But the patronage of office, the power of bestowing place and emoluments, create parties, not upon any principle, or any measure, but upon the single ground of personal interest. Under the direct influence of this motive, they form round a leader, and they go for "the spoils of victory." And if the party chieftain becomes the national chieftain, he is still but too apt to consider all who have opposed him as enemies to be punished, and all who have supported him as friends to be rewarded. Blind devotion to party, and to the head of a party, thus take place of the sentiments of generous patriotism, and a high and exalted sense of public duty.

Let it not be said, sir, that the danger from executive patronage, cannot be great, since the persons who hold office, or can hold office, constitute so small a portion of the whole people.

In the first place, it is to be remembered that patronage acts, not only on those who actually possess office, but on those also who expect it, or hope for it; and in the next place, office-holders, by their very situation, their public station, their connexion with the business of individuals, their activity, their ability to help or to hurt, according to their pleasure; their acquaintance with public affairs, and their zeal and devotion, exercise a degree of influence, out of all proportion to their numbers.

Sir, we cannot disregard our own experience. We cannot shut our eyes to what is around us and upon us. No candid man can deny that a great, a very great change has taken place within a few years, in the practice of the executive government, which has produced a corresponding change in our political condition. No one can deny that office, of every kind, is now sought with extraordinary avidity, and that the condition, well understood to be attached to every office, high or low, is indiscriminate support of executive measures, and implicit obedience to executive will. For these reasons, sir, I am for arresting the further progress of this executive patronage, if we can arrest it. I am for staying the further contagion of this plague.

The bill proposes two measures. One is to alter the duration of certain officers, now limited absolutely to four years; so that the limitation shall be qualified or conditional. If the officer is in default, if his accounts are not settled, if he retains or misapplies the public money, information is to be given thereof, and thereupon his commission is to cease. But if his accounts are all regularly settled, if he collects and disburses the public money faithfully, then he is to remain in office, unless, for some other cause, the president sees fit to remove him. This is the provision of the bill. It applies only to certain enumerated officers, who may be called accounting officers; that is to say, officers who receive and disburse the public money. Formerly all these officers held their places at the pleasure of the president. If he saw no just cause for removing them, they continued in their situations; no fixed period being assigned for the expiration of their commissions. But the act of 1820 limited the commissions of these officers to four years. At the end of four years they went out, without any removal, however well they may have conducted, or however useful to the public their further continuance in office might be. They might be nominated again, or might not; but their commissions expired.

Now, sir, I freely admit that considerable benefit has arisen from this law. I agree that it has, in some instances, secured promptitude, diligence and a sense of responsibility. These were the benefits which those who passed the law expected from it; and these benefits have, in some measure, been realized. But I think that this change, in the tenure of office, to-

gether with some good, has brought along a far more than equivalent amount of evil. By the operation of this law, the president can deprive a man of office without taking the responsibility of removing him. The law itself vacates the office, and gives the means of rewarding a friend without the exercise of the power of removal at all. Here is increased power, with diminished responsibility. Here is a still greater dependence, for the means of living, on executive favor, and of course a new dominion acquired over opinion and over conduct. The power of removal is, or at least formerly was, a suspected and odious power. Public opinion would not always tolerate it; and still less frequently did it approve it. Something of character, something of the respect of the intelligent and patriotic part of the community was lost by every instance of its unnecessary exercise. This was some restraint. But the law of 1820 took it all away. It vacated offices periodically, by its own operation, and thus added to the power of removal, which is left still existing in full force, a new and extraordinary facility for the extension of patronage, influence and favoritism.

I would ask every member of the senate if he does not perceive, daily, effects which may be fairly traced to this cause? Does he not see a union of purpose, a devotion to power, a co operation in action, among all who hold office, quite unknown in the earlier periods of the government? Does he not behold, every hour, a stronger development of the principle of personal attachment, and a corresponding diminution of genuine and generous public feeling? Was indiscriminate support of measures, was unwavering fealty, was regular suit and service ever before esteemed such important and essential parts of official duty?

Sir, the theory of our institutions is plain: it is, that government is an agency, created for the good of the people; and that every person in office is the agent and servant of the people. Offices are created, not for the benefit of those who are to fill them, but for the public convenience; and they ought to be no more in number, nor should higher salaries be attached to them, than the public service requires. This is the theory. But the difficulty, in practice, is, to prevent a direct reversal of all this; to prevent public offices from being considered as intended for the use and emolument of those who can obtain them. There is a headlong tendency to this, and it is necessary to restrain it by wise and effective legislation. There is still another, and perhaps a greatly more mischievous result, from extensive patronage in the hands of a single magistrate, and to which I have already incidentally alluded. And that is, that men in office have begun to think themselves mere agents and servants of the appointing power, and not agents of the government or the country. It is, in an especial manner, important, if it be practicable, to supply some corrective to this kind of feeling and opinion. It is necessary to bring back public officers to the conviction that they belong to the country, and not to any administration, nor to any one man.

The army is the army of the country; the navy is the navy of the country; neither of them is either the mere instrument of the administration for the time being, or of him who is at the head of it. The post office, the land office, the custom house, are, in like manner, institutions of the country, established for the good of the people; and it may well alarm the lovers of free institutions, when all the offices in these several departments are spoken of, in high places, as being but "spoils of victory," to be enjoyed by those who are successful in a contest, in which they profess this grasping of the spoils to have been the object of their efforts.

This part of the bill, therefore, sir, is a subject for fair comparison. We have gained something, doubtless, by limiting the commissions of these officers to four years. But have we gained as much as we have lost? And may not the good be preserved, and the evil still avoided? Is it not enough to say, that if, at the end of four years, moneys are retained, accounts unsettled, or other duties unperformed, the office shall be held to be vacated, without any positive act of removal?

For one, I think the balance of advantage is decidedly in favor of the present bill. I think it will make men more dependent on their own good conduct, and less dependent on the will of others. I believe it will cause them to regard their country more, their own duty more, and the favor of individuals less. I think it will contribute to official respectability, to freedom of opinion, to independence of character; and I think it will tend, in no small degree, to prevent the mixture of selfish and personal motives with the exercise of high political duties. It will promote true and genuine republicanism, by causing the opinion of the people, respecting the measures of government and the men in government, to be formed and expressed without fear or favor, and with a more entire regard to their true and real merits or demerits. It will be, so far as its effects reach, an auxiliary to patriotism and public virtue, in their warfare against selfishness and cupidity.

The second check on executive patronage, contained in this bill, is of still greater importance than the first. This provision is, that, whenever the president removes any of these officers from office, he shall state to the senate the reasons for such removal.

This part of the bill has been opposed, both on constitutional grounds, and on grounds of expediency.

The bill, it is to be observed, expressly recognises and admits the actual existence of the power of removal. I do not mean to deny, and the bill does not deny, that, at the present moment, the president may remove these officers at will, because the early decision adopted that construction, and the laws have since, uniformly, sanctioned it.

The law of 1820, intended to be repealed by this bill, expressly affirms the power. I consider it, therefore, a settled point; settled by construction, settled by precedent, settled by the practice of the government, and settled by statute. At the same time, I am very willing to say, that, after considering the question again and again, within the last six years, in my deliberate judgment, the original decision was wrong. I cannot but think that those who denied the power, in 1789, had the best of the argument; and yet, I will not say that I know myself so thoroughly as to affirm, that this opinion may not have been produced, in some measure, by that abuse of the power, which has been passing before our eyes for several years. It is possible, that this experience of the evil may have affected my view of the constitutional argument. It appears to me, however, after thorough and repeated, and conscientious examination, that an erroneous interpretation was given to the constitution, in this respect, by the decision of the first congress; and I will ask leave to state, shortly, the reasons for that opinion, although there is nothing in this bill which proposes to disturb that decision.

The constitution no where says one word of the power of removal from office, except in the case of conviction on impeachment. Wherever the power exists, therefore, except in cases of impeachment, it must exist as a constructive or incidental power. If it exists in the president alone, it must exist in him because it is attached to something else, or included in something else, or results from something else, which is granted to the president. There is certainly no specific grant; it is a power, therefore, the existence of which, if proved at all, is to be proved by inference and argument.

The only instance in which the constitution speaks of removal from office, as I have already said, it speaks of it as the exercise of *judicial* power; that is to say, it speaks of it as one part of the judgment of the senate, in cases of conviction on impeachment. No other mention is made, in the whole instrument, of any power of removal. Whence, then, is the power derived to the president?

It is usually said, by those who maintain its existence in the single hands of the president, that the power is derived from that clause of the constitution which says, "the executive power shall be vested in a president." The power of removal, they argue, is, in its nature, an executive power; and, as the executive power is thus vested in the president, the power of removal is necessarily included.

It is true, that the constitution declares that the executive power shall be vested in the president; but the first question which then arises is, *what is executive power? What is the degree, and what are the limitations?* Executive power is not a thing so well known, and so accurately defined, as, that the written constitution of a limited government can be supposed to have conferred it in a lump. What is executive power? What are its boundaries? What model, or example, had the framers of the constitution in their minds, when they spoke of "executive power?" Did they mean executive power as known in England, or as known in France, or as known in Russia? Did they take it as defined by Montesquieu, by Burlamaqui, or by De Lolme? All these differ from one another as to the extent of the executive power of government. What, then, was intended by "the executive power?" Now, sir, I think it perfectly plain and manifest, that, although the framers of the constitution meant to confer executive power on the president, yet they meant to define and limit that power, and to confer no more than they did thus define and limit. When they say it shall be vested in a president, they meant that one magistrate, to be called a president, shall hold the executive authority; but they mean, further, that he should hold this authority according to the grants and limitations of the constitution itself.

They did not intend, certainly, a sweeping gift of prerogative. They did not intend to grant to the president, whatever might be construed, or supposed, or imagined to be executive power; and the proof that they meant no such thing, is, that, immediately after using these general words, they proceed, specifically, to enumerate his several distinct and particular authorities, to fix and define them, to give the senate an essential control over the exercise of some of them, and to leave others uncontroled. By the executive power conferred on the president, the constitution means no more than that portion which itself creates, and which it qualifies, limits and circumscribes.

A general survey of the frame of the constitution will satisfy us of this. That instrument goes all along upon the idea of dividing the powers of government, so far as practicable, into three great departments. It describes the powers and duties of these departments in an article allotted to each. As first in importance and dignity, it begins with the legislative department. The first article of the constitution, therefore, commences with the declaration that "all legislative power herein granted shall be vested in a congress of the United States, which shall consist of a senate and house of representatives." The article goes on to prescribe the manner in which congress is to be constituted and organized, *and then proceeds to enumerate, specifically, the powers intended to be granted;* and adds the general clause, conferring such authority as may be necessary to carry granted powers into effect. Now, sir, no man doubts that this is a limited legislature; that it possesses no powers but such as are granted by express words or necessary implication; and that it would be quite preposterous to insist that congress

possessed any particular power merely because it is, in its nature, a legislative body, if no grant can be found for it in the constitution itself.

Then comes, sir, the second article, creating an executive power; and it declares, that "the executive power shall be vested in a president of the United States." After providing for the mode of choosing him, it immediately proceeds to enumerate, specifically, the powers which he shall possess and exercise, and the duties which he shall perform. I consider the language of this article, therefore, precisely equivalent to that in which the legislature is created; that is to say, I understand the constitution as saying that "The executive power *herein granted*, shall be vested in a president of the United States."

In like manner the third article, or that which is intended to arrange the judicial system, begins by declaring that "the judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may, from time to time, ordain and establish." But these general words do not show *what extent* of judicial power is vested in the courts of the United States. All that is left to be done, and is done, in the following sections, by express and well guarded provisions.

I think, therefore, sir, that very great caution is to be used, and the ground well considered, before we admit that the president derives any distinct and specific powers from those general words, which vest the executive authority in him. The constitution itself does not rest satisfied with these general words. It immediately goes into particulars, and carefully enumerates the several authorities which the president shall possess. The very first of the enumerated powers is the command of the army and navy. This, most certainly, is an executive power. And why is it particularly set down and expressed, if any power was intended to be granted under the general words? This would pass, if any thing would pass, under those words. But enumeration, specification, particularization, was evidently the design of the framers of the constitution, in this as in other parts of it. I do not, therefore, regard the declaration that the executive power shall be vested in a president, as being any grant at all; any more than the declaration that the legislative power shall be vested in congress, constitutes, by itself, a grant of such power. In the one case, as in the other, I think the object was to describe and denominate the department, which should hold, respectively, the legislative and the executive authority; very much, as we see, in some of the state constitutions, that the several articles are headed with the titles, "legislative power," "executive power," "judicial power;" and this entitling of the articles, with the name of the power, has never been supposed, of itself, to confer any authority whatever. It amounts to no more than naming the departments.

If, then, the power of removal be admitted to be an executive power, still it must be sought for and found among the enumerated executive powers, or fairly implied from some one or more of them. It cannot be implied from the general words. The power of appointment was not left to be so implied; why, then, should the power of removal have been so left? They are both closely connected; one is indispensable to the other, why then was one carefully expressed, defined and limited, and not one word said about the other?

Sir, I think the whole matter is sufficiently plain. Nothing is said in the constitution about the power of removal, because it is not a separate and distinct power. It is part of the power of appointment, naturally going with it or necessarily resulting from it. The constitution or the laws may separate these powers, it is true, in a particular case, as is done in respect to the judges, who, though appointed by the president and senate, cannot be removed at the pleasure of either, or of both. So a statute, in prescribing the tenure of any other office, may place the officer beyond the reach of the appointing power. But where no other tenure is prescribed, and officers hold their places at will, that will is necessarily the will of the appointing power; because the exercise of the power of appointment at once displaces such officers. The power of placing one man in office, necessarily implies the power of turning another out. If one man be secretary of state, and another be appointed, the first goes out, by the mere force of the appointment of the other, without any previous act of removal whatever. And this is the practice of the government, and has been, from the first. In all the removals which have been made, they have generally been effected simply by making other appointments. I cannot find a case to the contrary. There is no such thing as any distinct official act of removal. I have looked into the practice, and caused inquiries to be made in the departments, and I do not learn that any such proceeding is known as an entry, or record, of the removal of an officer from office; and the president could only act, in such cases, by causing some proper record or entry to be made, as proof of the fact of removal. I am aware that there have been some cases, in which notice has been sent to persons in office that their services are, or will be, after a given day, dispensed with. These are usually cases, in which the object is, not to inform the incumbent that he is *removed*, but to tell him that a successor either is, or by a day named, will be appointed. If there be any instances, in which such notice is given, without express reference to the appointment of a successor, they are few; and even in these such reference must be implied; because, in no case, is there any distinct official act of removal, as I can find, unconnected with the act of appointment. At any rate, it is the usual practice, and has been from the first, to consider the appointment as producing the removal of the previous incumbent. When the president desires to remove a person from office, he sends a message to the senate, nominating some other person. The message usually runs in this form: "I nominate A. B to be collector of the customs, &c. in the place of C. D. removed." If the senate advise and consent to this nomination, C. D. is effectually out of office, and A. B. is in, in his place. The same effect would be produced, if the message should say nothing of any removal. Suppose A. B. to be secretary of state, and the president to send us a message, saying, merely, "I nominate C. D. to be secretary of state." If we confirm this nomination, C. D. becomes secretary of state, and A. B. is necessarily removed.

I have gone into these details, and particulars, sir, for the purpose of shewing, that not only in the nature of things, but also according to the practice of the government, the power of removal is incident to the power of appointment. It belongs to it, is attached to it, forms a part of it, or results from it.

If this be true, the inference is manifest. If the power of removal, when not otherwise regulated by constitution or law, be part and parcel of the power of appointment, or a necessary incident to it, then whoever holds the power of appointment, holds also the power of removal. But it is the president and the senate, and not the president alone, who hold the power of appointment; and, therefore, according to the true construction of the constitution, it should be the president and senate, and not the president alone, who hold the power of removal.

The decision of 1789 has been followed by a very strange and indefensible anomaly, showing that it does not rest on any just principle. The natural connexion between the appointing power and the removing power has, as I have already stated, always led the president to bring about a removal by the process of a new appointment. This is quite efficient for his purpose, when the senate confirms the new nomination. One man is then turned out, and another put in. But the senate sometimes *rejects* the new nomination; and what then becomes of the old incumbent? Is he out of office, or is he still in? He has not been turned out by any exercise of the power of appointment, for no appointment has been made. That power has not been exercised. He has not been removed by any distinct and separate act of removal, for no such act has been performed, or attempted. Is he still in, then, or is he out? Where is he? In this dilemma, sir, those who maintain the power of removal, as existing in the president alone, are driven to what seems to me very near absurdity. The incumbent has not been removed by the appointing power, since the appointing power has not been exercised. He has not been removed by any distinct and independent act of removal, since no such act has been performed.

They are forced to the necessity, therefore, of contending that the removal has been accomplished by the *mere nomination* of a successor; so that the removing power is made incident, not to the appointing power, but to one part of it; that is, to the *nominating* power. The nomination, not having been assented to by the senate, it is clear has failed, as the first step in the process of appointment. But, though thus rendered null and void in its main object, as the first process in making an appointment, it is held to be good and valid, nevertheless, to bring about that which *results from an appointment;* that is, the removal of the person actually in office. In other words, the nomination produces the consequences of an appointment, or some of them, though it be itself no appointment, and effects no appointment. This, sir, appears to me to be any thing but sound reasoning and just construction.

But this is not all. The president has sometimes sent us a nomination to an office already filled, and, before we have acted upon it, has seen fit to withdraw it. What is the effect of such a nomination? If a *nomination*, merely as such, turns out the present incumbent, then he is out, let what will become afterwards of the nomination. But I believe the president has acted upon the idea that a nomination made, and at any time afterwards withdrawn, does *not* remove the actual incumbent.

Sir, even this is not the end of the inconsistencies into which the prevailing doctrine has led. There have been cases in which nominations to offices, already filled, have come to the senate, remained here for weeks, or months, the incumbents all the while continuing to discharge their official duties, and relinquishing their offices only when the nominations of their successors have been confirmed and commissions issued to them. So that, if a nomination be confirmed, the *nomination itself* makes no removal. The removal, then, waits to be brought about by the *appointment;* but if the nomination be *rejected*, then the *nomination itself*, it is contended, has effected the removal. Who can defend opinions which lead to such results?

These reasons, sir, incline me strongly to the opinion that, upon a just construction of the constitution, the power of removal is part of, or a necessary result from, the power of appointment, and, therefore, that it *ought to have been* exercised by the senate concurrently with the president.

The argument may be strengthened by various illustrations. The constitution declares that congress may vest the appointment of inferior officers in the president alone, in the courts of law, or in the heads of departments; and congress has passed various acts, providing for appointments, according to this regulation of the constitution. Thus the supreme court, and other courts of the United States, have authority to appoint

their clerks; heads of departments also appoint their own clerks, according to statute provisions; and it has never been doubted that these courts, and these heads of departments, may remove their clerks at pleasure, although nothing is said in the laws respecting such power of removal. Now it is evident that neither the courts nor the heads of departments acquire the right of removal under a general grant of executive power, for none such is made to them; nor upon the ground of any general injunction to see the laws executed, for no such general injunction is addressed to them. They, nevertheless, hold the power of removal, as all admit, and they must hold it, therefore, simply as incident to, or belonging to, the power of appointment. There is no other clause under which they can possibly claim it.

Again, let us suppose that the constitution had given to the president the power of appointment, without consulting the senate. Suppose it had said, "the president shall appoint ambassadors, other public ministers, judges of the supreme court and all other officers of the United States." If the constitution had stood thus, the president would unquestionably have possessed the power of removal, where the tenure of office was not fixed; and no man, I imagine, would, in that case, have looked for the removing power, either in that clause which says the executive authority shall be vested in the president, or in that other clause which makes it his duty to see the laws faithfully executed. Every body would have said, "the president possesses an uncontroled power of appointment, and that necessarily carries with it an uncontroled power of removal, unless some permanent tenure be given to the office by the constitution, or by law."

And now, sir, let me state, and examine, the main argument, on which the decision of 1789 appears to rest it.

The most plausible reasoning brought forward on that occasion may be fairly stated thus: "The executive power is vested in the president, this is the general rule of the constitution; the association of the senate with the president, in exercising a particular function belonging to the executive power, is an exception to this general rule, and exceptions to general rules are to be taken strictly; therefore, though the senate partakes of the appointing power, by express provision, yet, as nothing is said of its participation in the removing power, such participation is to be excluded."

The error of this argument, if I may venture to call it so, considering who used it, lies in this. It supposes the power of removal to be holden by the president under the general grant of executive power. Now it is certain that the power of appointment is not holden under that general grant, because it is particularly provided for, and is conferred, in express terms, on the president and senate. If, therefore, the power of removal be a natural appendage to the power of appointment, then it is not conferred by the general words, granting executive power to the president, but is conferred by the special clause, which gives the appointing power to the president and senate. So that the spirit of the very rule, on which the argument of 1789, as I have stated it relies, appears to me to produce a directly opposite result; for, if exceptions to a general rule are to be taken strictly, when expressed, it is still more clear that they are not to be implied, without evident and clear grounds when they are not expressed at all; and as the general power of appointment is confessedly given to the president and senate, no exception is to be implied in favor of one part of that general power, viz: the removing part, unless for some obvious and irresistible reason. In other words, this argument, which I am answering, is not sound in its premises, and therefore, not sound in its conclusion, if the grant of the power of appointment does naturally include also the power of removal, when this last power is not otherwise expressly provided for. Because, if the power of removal belongs to the power of appointment, or necessarily follows it, then it has gone with it into the hands of the president and senate, and the president does not hold it alone, as an implication or inference, from the grant to him of general executive powers.

The true application of that rule of construction, thus relied on, would present the argument, I think, in this form: "The appointing power is vested in the president and senate: this is the general rule of the constitution: the removing power is part of the appointing power; it cannot be separated from the rest, but by supposing an exception was intended; but all exceptions to general rules are to be taken strictly, even when expressed, and for a much stronger reason they are not to be implied, when not expressed, unless inevitable necessity of construction requires it."

On the whole, sir, with the diffidence which becomes one who is reviewing the opinions of some of the ablest and wisest men of the age, I must still express my own conviction, that the decision of congress in 1789, which separated the power of removal from the power of appointment, was founded on an erroneous construction of the constitution, and that it has led to great inconsistencies as well as to great abuses, in the subsequent, and especially in the more recent history of the government.

Much has been said now, and much was said formerly, about the inconvenience of denying this power to the president alone. I agree, that an argument, drawn from this source, may have weight, in a doubtful case; but it is not to be permitted that we shall presume the existence of a power merely because we think it would be convenient. Nor is there, I think, any such glaring, striking or certain inconvenience, as has been suggested. Sudden removals from office are seldom necessary—we see how seldom, by reference to the practice of the government under all administrations which preceded the present. And if we look back over the removals, which have been made in the last six years, there is no man who can maintain, that there is one case in a hundred, in which the country would have suffered the least inconvenience, if no removal had been made, without the consent of the senate. Party might have felt the inconvenience, but the country never. Many removals have been made (by new appointments) during the sessions of the senate; and if there has occurred one single case in the whole six years, in which the public convenience required the removal of an officer in the recess, such case has escaped my recollection. Besides, it is worthy of being remembered, when we are seeking for the true intent of the constitution on this subject, that there is reason to suppose that its framers expected the senate would be in session a much larger part of the year than the house of representatives, so that its concurrence could generally be had, at once, on any question of appointment or removal.

But this argument, drawn from the supposed inconvenience of denying an absolute power of removal to the president, suggests still another view of the question. The argument asserts that it must have been the intention of the framers of the constitution to confer the power on the president, for the sake of convenience, and as an absolutely necessary power in his hands. Why, then, did they leave their intent doubtful? *Why did they not confer the power in express terms?* Why were they thus totally silent on a point of so much importance?

Seeing that the removing power naturally belongs to the appointing power—seeing that in other cases, in the same constitution, its framers have left the one with the consequence of drawing the other after it, if in this instance, they meant to do what was uncommon and extraordinary; that is to say, if they meant to separate and divorce the two powers, why did they not say so? Why did they not express their meaning in plain words? Why should they take up the appointing power, and carefully define it, limit it and restrain it, and yet leave an equally important power, which all must admit to be closely connected with it, if not a part of it, to vague inference and loose construction? If others can account for all this silence respecting the removing power, upon any other ground than that the framers of the constitution regarded both powers as one, and supposed they had provided for them together, I confess I cannot. I have the clearest conviction, that they looked to no other mode of displacing an officer than by impeachment, or by the regular appointment of another person to the same place.

But, sir, whether the decision of 1789 was right or wrong, the bill before us applies to the actually existing state of things. It recognises the president's power of removal, in express terms, as it has been practically exercised, independently of the senate. The present bill does not disturb the power; but I wish not to be understood that the power is, even now, beyond the reach of legislation. I believe it to be within the just power of congress to reverse the decision of 1789, and I mean to hold myself at liberty to act, hereafter, upon that question, as I shall think the safety of the government and of the constitution may require. The present bill, however, proceeds upon the admission that the power does at present exist. Its words are:

"Sec. 3. *And be it further enacted*, That in all nominations made by the president to the senate, to fill vacancies occasioned by the exercise of the president's power to remove the said officers mentioned in the second section of this act, the fact of the removal shall be stated to the senate, at the same time that the nomination is made, with a statement of the reasons for which such officer may have been removed."

In my opinion, this provision is entirely constitutional, and highly expedient.

The regulation of the tenure of office is a common exercise of legislative authority, and the power of congress, in this particular, is not at all restrained or limited, by any thing contained in the constitution, except in regard to judicial officers. All the rest is left to the ordinary discretion of the legislature. Congress may give to offices which it creates, (except those of judges) what duration it pleases. When the office is created, and is to be filled, the president is to nominate the candidate to fill it; but, when he comes into the office, he comes into it upon the conditions and restrictions which the law may have attached to it. If congress were to declare by law that the attorney general, or the secretary of state, should hold his office during good behaviour, I am not aware of any ground on which such a law could be held unconstitutional. A provision of that kind might be unwise, in regard to such officers, but I do not perceive that it would transcend the power of congress.

If the constitution had not prescribed the tenure of judicial office, congress might have thought it expedient to give the judges just such a tenure as the constitution has itself provided; that is to say, a right to hold during good behaviour; and, I am of opinion, that such a law would have been perfectly constitutional. It is by law, in England, that the judges are made independent of the removing power of the crown. I do not think that the constitution, by giving the power of appointment, or the power both of appointment and removal, to the president and senate, intended to impose any restraint on the legislature, in regard to its authority of regulating the duties, powers, duration or responsibility of office. I agree, that congress ought not to do any thing which shall essentially impair that right of nomination and appointment of certain officers, such as ministers,

judges, &c. which the constitution has vested in the president and senate. But while the power of nomination and appointment is left fairly where the constitution has placed it, I think the whole field of regulation is open to legislative discretion. If a law were to pass, declaring that district attorneys, or collectors of customs, should hold their offices four years, unless removed on conviction for misbehaviour, no one could doubt its constitutional validity; because the legislature is naturally competent to prescribe the tenure of office. And is a reasonable check on the power of removal any thing more than a qualification of the tenure of office? Let it be always remembered, that the president's removing power, as now exercised, is claimed and held under the general clause, vesting in him the executive authority. It is implied, or inferred from that clause alone. Now, if it is properly derived from that source, since the constitution does not say how it shall be limited, how defined, or how carried into effect, it seems especially proper for congress, under the general provision of the constitution, which gives it authority to pass all laws necessary to carry into effect the powers conferred on any department, to regulate the subject of removal. And the regulation here required is of the gentlest kind. It only provides that the president shall make his reasons for removal of officers of this description known to the senate, when he does see fit to remove them. It might, I think, very justly, go farther. It might, and perhaps it ought, to prescribe the form of removal, and the proof of the fact. It might, I think, too, declare, that the president should only suspend officers, at pleasure, till the next meeting of the senate, according to the amendment suggested by the honorable member from Kentucky; and, if the present practice cannot be otherwise checked, this provision, in my opinion, ought hereafter to be adopted. But I am content with the slightest degree of restraint which may be sufficient to arrest the totally unnecessary, unreasonable and dangerous exercise of the power of removal. I desire only, for the present at least, that, when the president turns a man out of office, he should give his reasons for it, to the senate, when he nominates another person to fill the place. Let him give these reasons, and stand on them. If they be fair and honest, he need have no fear in stating them. It is not to invite any trial; it is not to give the removed officer an opportunity of defence; it is not to excite controversy and debate; it is, simply, that the senate, and ultimately the public, may know the grounds of removal. I deem this degree of regulation at least, necessary; unless we are willing to submit all these officers to an absolute and a perfectly irresponsible removing power; a power which, as recently exercised, tends to turn the whole body of public officers into partisans, dependants, favorites, sycophants and man-worshippers.

Mr. President, without pursuing the discussion further, I will detain the senate only while I recapitulate the opinions which I have expressed; because I am far less desirous of influencing the judgment of others, than of making clear the grounds of my own judgment.

I think, then, sir, that the power of appointment naturally and necessarily includes the power of removal, where no limitation is expressed, nor any tenure but that at will declared. The power of appointment being conferred on the president *and senate*, I think the power of removal went along with it; and should have been regarded as a part of it, and exercised by the same hands. I think, consequently, that the decision of 1789, which *implied* a power of removal, separate from the appointing power, was erroneous.

But I think the decision of 1789 has been established by practice, and recognised by subsequent laws, as the settled construction of the constitution; and that it is our duty to act upon the case accordingly, for the present; without admitting that congress may not hereafter, if necessity shall require it, reverse the decision of 1789. I think the legislature possesses the power of regulating the condition, duration, qualification and tenure of office, in all cases where the constitution has made no express provision on the subject.

I am, therefore, of opinion, that it is competent for congress to declare by law, as one qualification of the tenure of office, that the incumbent shall remain in place till the president shall remove him, for reasons to be stated to the senate. And I am of opinion that this qualification, mild and gentle as it is, will have *some* effect in arresting the evils which beset the progress of the government, and seriously threaten its future prosperity.

These are the reasons for which I give my support to this bill.

February 18.

Mr. *Grundy*. Mr. President: It is not my intention to reply particularly to the arguments of those who have advocated this bill, but to give my own opinions and the reasons upon which they are founded. With all the respect I entertain for the opinion of others, both those who reported this bill in 1826, and those who now support it, I must say I differ from them radically; my judgment disapproves of every portion of it. Part of the provisions contained in it, I believe, are inexpedient, and not calculated to promote the professed object, which gentlemen say is a diminution of executive power and patronage. This object, I admit, is desirable; but I deny that this bill will have any tendency towards its accomplishment. Another portion of this bill, I consider unconstitutional and subversive of the first principles of this government. I will examine the two important sections of this bill in their order, first premising that its introduction in 1826, has in it very little authority with me. The bill does not appear to have been acted or voted upon after its introduction, but was laid on the table upon the motion of Mr. *Macon*, a member of the committee. This shows at least that he, Mr. *Macon*, may have entertained doubts, or have been opposed to its passage, and how many other members of the committee may have been in the same situation, it is impossible to say. There appears to have been no discussion, no vote of the senate upon the subject. This bill was again reported by the senator from Missouri, (Mr. *Benton*), in 1830. I will now show its history during that session; and it will refute the charge of the senator from South Carolina, (Mr. *Calhoun*), when he says that the friends of the administration have changed their ground and abandoned their principles. It will be seen that the whole administration party, with the exception of the senator from Missouri, and my colleague, and Mr. *South*, of South Carolina, used every means in their power to prevent its passage. The two senators referred to, and now members of this body, had formed their opinion in 1826; they were satisfied with them in 1830; and they are now acting in conformity with them. They are at least consistent; but I should like to know how the senator from Virginia, (Mr. *Tyler*), and the senator from Kentucky, (Mr. *Bibb*), can reconcile the votes they are about to give in favor of this bill, with the votes given by them in 1830, upon the same bill, which I will read from the journal of that session.

"The bill was then further amended, and on motion of Mr. *Bibb*, that it be laid upon the table, it was determined in the negative: Yeas 20, nays 23. On motion of Mr. *Chase*, the yeas and nays being desired by one-fifth of the senators present, those who voted in the affirmative are, Messrs. Adams, Barnard, Bibb, Brown, Dickinson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, McKinley, Rowan, Sanford, Smith, of Md. Troup, Tyler, Woodbury.

"Those who voted in the negative are, Messrs. Barton, Bell, Benton, Burnet, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnson, Knight, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith, of S. Carolina, Sprague, Webster, White, Willie."

If this bill should pass, the effect will be, that all district attorneys, collectors of the customs, naval officers, surveyors of the customs, navy agents and receivers of public moneys for lands, registers of the land office, will become officers for life, unless the president shall think proper to remove them. He, and he alone, will have entire control over their tenure of office, except they become defaulters in the payment of public moneys in their hands. However incompetent or negligent they may be in the discharge of their duties, they will remain in office, unless the president shall think proper to remove them. For instance, a district attorney may mismanage the causes of the government; may fail to promote its just claims with effect; yet, if he and his friends can secure favor with the chief magistrate, he continues in office for life. Not so under the existing law, which is sought to be repealed. According to it, at the end of every four years, they are brought before this body for its approval; and if they are unworthy the senate can discharge them from the service of the country. Gentlemen say they are diminishing executive power by this provision of the bill, when in fact they are withdrawing the power of the senate over these officers, and concentrating it in the executive. I think, therefore, gentlemen are wholly mistaken in the means selected by them for the accomplishment of their object. A renomination to the senate every four years, gives a salutary stimulus to a public officer to a faithful discharge of his duty. He knows that every error he commits may come to the knowledge of the senators of his state, and the time will come, and shortly, when his conduct will be reviewed in this body; and if he shall not have performed it well, there are others besides the chief magistrate who have the power to prevent his continuance in office. He will, therefore, act as becomes an officer of the public acting for the community, which through this body has the power to act on him, rather than the officer of the president of the United States, to whom *alone* he will be responsible should this bill become a law. The great principle which lies at the foundation of our institutions, so far as relates to the legislative and executive departments, is the responsibility of public agents to those who have placed them in office. Hence it is that senators return once in six years to that body by whom they were created, and representatives return to the people once in two years. So the president of the U. States returns to the people once in four years. This is all done that their conduct may be examined, and a decision made upon the propriety of continuing them in office. How then can it be improper that these officeholders enumerated in this bill, shall return to the appointing power once in four years, that their conduct, and the manner they have discharged their public duties, may be investigated, with a view to a decision whether they shall be continued in office or not? In regard to the control of the executive over the minds of officeholders, I ask senators to reflect whether he will not possess it in a greater degree when he can continue the incumbent in office without the intervention of the senate. Under this bill, should it pass, the president would have a well-trained, disciplined, veteran corps, well skilled in all the arts of electioneering, made subservient to his will by the fact that he alone had the power to displace them, and that neither the senate of the U. States, nor any other body of men, could interfere in displacing them, or preventing their reappointment. It is urged, that worthy men have been removed from office, without sufficient cause. Of this I have no doubt. The present chief magistrate

as, in some instances, been imposed on by the representations of others. Another fact, however, is equally clear, that others have been retained who should have been dismissed. My opinion is, although I do not pretend to speak with absolute accuracy, that a majority of all the federal offices in the United States at this time are held by individuals opposed to the administration. Take the offices of the different departments in this city, and I presume no doubt could exist in the mind of any one, that the greater number in them belong to the opposition. I have heard of no material change in the post office department in that respect, and I know that two or three years ago, a witness* who knew the politics of each person engaged in the general post office, and was himself a violent opposition man, furnished to a committee of this body a list of the persons employed and their politics respectively; and a majority of them were opposed to this administration. It has somehow happened, that this administration has incurred all the odium of proscription, while its enemies have enjoyed, as far as office is concerned, the greater portion of the "spoils." It is urged as an objection to the existing law, that these offices generally expire and have to be renewed at the session of congress immediately preceding every presidential election. This was the case immediately after the passage of the law of 1820: but gentlemen should recollect, that in all cases where a temporary appointment is made by the president for any cause, when the senate convenes and approves of the appointment, the new commission bears date, and is for four years from the time of approval by this body. This will in a short time destroy that disproportion in different years upon which his argument is founded. I am willing, however, to waive this, and place the subject upon the ground stated by the advocates of this bill, which is, that the commissions of all, or nearly all, expire at the session of congress immediately preceding the presidential election. This period, of all others, is, in my judgment, the most unfavorable to the influence and popularity of the chief magistrate then in office. The influence of those who possess the appointing power is greatest while many are competing for an appointment. When the apple has fallen, and in the scramble one has secured it, the other competitors go away dissatisfied; when six, eight or ten men are striving for an office, he who succeeds in obtaining it is gratified, and will probably be the friend of the president who has bestowed it upon him; but it is quite probable, that all or most of the others, who have been disappointed, will feel that their just claims have been overlooked, and they may become hostile to the chief magistrate, who has not properly appreciated their merits. It therefore seems to me, that a more suitable period than the session of congress preceding a presidential election, could not be fixed on to weaken the executive power and influence. I therefore conclude, that the enactment of the first section of this bill will greatly increase executive power and patronage, and not diminish it in the slightest degree.

If gentlemen wish to reduce executive patronage, I will unite with them most heartily, if they will strike at the root of the evil. If they will begin by diminishing the number of unnecessary offices, and opposing the creation of others not demanded by the public interest, then something effectual can be done. The evil is in the legislation of congress, not in the executive branch of the government. The remedy must be applied by the legislature to its own proceedings, not in attempting to encroach upon the rights of another department of the government.

The 2d section of the bill requires no comment. It only carries out in detail the provisions of the first. I shall, therefore, proceed to an examination of the 3d section. The provisions of this section I consider not only inexpedient but unconstitutional; and senators, on all sides, will excuse any unusual zeal I may manifest on this subject; because, I verily believe, if this bill goes into practical effect, it will stop the operations of this government—and destroy all those checks designed by the constitution to be imposed upon the different departments. To prevent all misunderstanding upon this subject, I will read the 3d section:

"*And be it further enacted*, That in *all* nominations made by the president to the senate, to fill vacancies occasioned by removal from office, the facts of the removal shall be stated to the senate, at the same time that the nomination is made, with a statement of the reasons for such removal."

Let it be recollected, that this section has no necessary connection with those which precede it. It is not restricted to the officers enumerated or mentioned in the 2d section. It embraces, in plain and express language, every officer of the government, from the secretary of state inclusive, down to the lowest officer who holds a commission from the president of the United States. When any of them are removed, the reasons for the removal are to be assigned to this body. Why is this to be done? Gentlemen, at least some of them, on the other side of the house, have told us that the senate may judge of the sufficiency of the reasons, and, if found insufficient, reject the successor and all other nominees, until the original incumbent shall be restored. Now, let there be an adverse or opposition senate—let the people call for a change of measures as loudly and strongly as they may—still nothing can be effected. They elect a chief magistrate by an overwhelming majority, and send him to administer the government. This is all they can do under the constitution. He must carry their wishes into effect so far as relates to executive duties. When, however, he commences his administration, he finds the secretaries of state, of the treasury, of war, of the navy, the postmaster general and attorney general, all opposed to his measures of reform which have been called for by the public voice. If he shall dismiss them, the senate will have them restored; for they have been dismissed for opinion's sake, or on political grounds merely. I ask the senator from Kentucky, should he be elevated to the chief magistracy, in such a state of things, whether, when rendered thus powerless by the acts of this body, he would be more than a lifeless statue inhabiting the presidential mansion?

Should the senator from Massachusetts, (Mr. *Webster*), be chosen chief magistrate, under similar circumstances, he would be like Daniel of old, when thrown into the lion's den—with this difference, that his God might not so effectually protect him. When one of the secretaries should be directed by the president to make a material change in the mode of administering his department, his reply might be, that he saw no reason for the change, and therefore would not adopt the suggestion of the president. A dismission takes place, and the secretary, knowing he has a majority of political friends in this body, relies upon their reinstating him; I ask, will he be disappointed when the senate comes to act upon the nomination of his successor? From what we have all seen and know, I think he would not. In this way the senate will have the power to compel the president to retain, as his advisers and counsellors, men who would rejoice at any disaster which might befal his administration; men who would introduce discord and distraction into the executive councils, instead of harmony and concert of action. No government can be administered in this manner, and if we wish to perpetuate the principles of republican government, we should avoid the introduction of a practice which would shake the very pillars of our free institutions.

Gentlemen say that a sense of propriety and delicacy would prevent a secretary from retaining his place, against the will of the president of the U. States. Sir, I do not wish to see the successful operations of this government dependent upon the delicacy of feeling of any man or set of men. These secretaries might think or say that the public interest, and their duty to their country, required them not to abandon or be driven from their stations, and this senate might entertain the same opinion. According to the mode of thinking which might prevail at the time with the secretaries and the senate, every feeling of delicacy would be merged in the consideration of higher and paramount duties. The question arising upon this section of the bill is certainly one of great delicacy, as it relates to this body. It is an effort, on our part, to participate in the power of removal from office, and to check the president in the use of that power which has been exercised by every chief magistrate, from the formation of the government down to the present day. Whatever portion of power this bill deprives the president of, is acquired by this body. When, then, it is remembered, that we daily hear charges made against the executive, of usurping authority and power not delegated to him by the constitution, we should be careful not to incur the imputation of regarding the mote that is in our brother's eye, rather than the beam that is in our own. If, under the constitution, this body does not possess the right to participate in removals from office, this bill is an act of usurpation on our part—a grasping at power not delegated to the senate by the constitution. I will now attempt to show that this body possesses no such power. I ask gentlemen to tell me in what part of the constitution they find the power? According to my reading of that instrument it is no where to be found, either expressly or by implication.

The constitution provides three separate, distinct and independent departments of government—legislative, executive and judicial; and by this division of power, the wisest lawgivers and statesmen have supposed the best security for liberty was secured; and it is only by protecting each department from the encroachments of the others, that the advantages arising from this separation of powers can be preserved. Wherever the same man or body of magistracy, however numerous, make the laws, decide upon, and execute them, there is despotism and tyranny, by whatever name the government may be called. It is only by keeping the powers of government in different bodies of men, each acting within the limits prescribed to it by the constitution, that we can calculate with any degree of certainty upon the perpetuation of the blessings of free government. Therefore, the joint action of the different departments of this government should never take place, unless in cases directed by the constitution. These are clearly pointed out in that instrument. In the enactment of laws, the house of representatives, the senate and the president, must all concur, unless he refuses his assent, and two-thirds of each house shall pass the bill, notwithstanding his objections. In making treaties and appointing to office, the house of representatives has no agency. These subjects are confided exclusively to the president and senate. To this extent, and no further, has the constitution authorised the president and senate to act jointly, and the conclusion I would draw is, that so soon as that joint duty assigned to them by the constitution is performed, each of them is, in all other respects, to perform its separate functions, independently of, and uninfluenced by the other. If the framers of the constitution had intended that the senate should participate in the power of removal, could they not, and would they not, have said so? They give to the senate expressly a

*Abraham Bradley, esq. late assistant postmaster general.

portion of the appointing power, and by not giving any portion of the power of removal, the inference is too strong to be resisted, that a participation in the latter power was not designed to be communicated to this body.

There are strong reasons why the senate should act with the executive in making appointments to office, and should not act with him in removal. The president may have been misinformed as to the character and qualifications of an individual, and he may nominate him for the approval of this body. The senators from the state in which the nominee resides, in all probability, may be better acquainted with his character and qualifications than the president—therefore, by the superior information they possess, the errors of the president may be corrected. This is a salutary check, and shows the wisdom of that provision in the constitution which makes the senate a portion of the appointing power. Not so, however, as to the removing power. When an executive officer is appointed, he discharges his duties under the inspection of the president, although at a distance, through the official channels of communication. The president is advised of the manner in which he performs his duties; the president can therefore, be better able to form a correct opinion, as to the propriety of retaining or removing him, than this body or any other department of the government.

The congress of 1789 decided this question in the way for which I have contended. That congress was composed of many of the men who formed the constitution, and knew the intention of its framers better than the men of this day. A bill was introduced into the house of representatives creating the office of secretary of foreign affairs; it contained a provision expressly giving the power of removal of that officer to the president. Upon this, a lengthy, animated and interesting discussion took place, which resulted in striking out that part of the bill conferring the power on the president, not because it was unnecessary, but upon the ground of a pre-existing constitutional right in the chief magistrate, which could neither be given nor taken away by law. This bill also passed the senate, and was signed by general Washington, then president of the United States. The first commission ever issued by him was to Mr. Jefferson, as secretary of state, and that reads, that "the office is to be held during the pleasure of the president of the United States." This form of commission has been invariably pursued in all like cases, from that period to the present. President Washington, the elder Mr. Adams, Mr. Jefferson, Mr. Madison, Mr. Monroe and the younger Mr. Adams, have all exercised this power unquestioned, except in one case only, to which I will call the attention of the senate. When Mr. Granger, in 1814, was dismissed from the office of postmaster general by Mr. Madison, a great sensation was produced both in and out of congress. This I know; for I was here at that period. Mr. Granger was known to be an able and efficient officer; he was a great favorite with the democracy of New England; he was not dismissed for any delinquency in the discharge of his public duties. In this state of things, the following resolution was introduced into the senate of the United States, as appears from 2d vol. Executive Journal, page 504.

Mr. German submitted the following motion for consideration: "*Resolved*, That the president of the United States be, and he is hereby requested, to inform the senate, whether the office of postmaster general be now vacant, and if vacant, in what manner the same became vacant."

This resolution was rejected by a vote of the senate, which shows that it was the understanding at that time that they had no right to interfere in cases of removal. This is the only instance, since the decision of the congress in 1789, in which any member of the senate has attempted to call on the president for his reasons for removal, until the present chief magistrate came into office. Can it be believed that this power of removal could have been exercised by all chief magistrates of every political character and description, and no serious question be made respecting it for the space of forty years, unless it was considered by all political parties that the constitutional power did exist, and that the decision of 1789 was well made, and in conformity with the constitution? For my own part, I have believed that this question was more fully settled than any but one in our whole political history. That the alien and sedition laws were unconstitutional may be considered better settled—no other, I am sure. In 1830, Mr. Holmes, then a senator from Maine, introduced a series of resolutions, one of which called for the president's reasons for removals from office. I will read to the senate so much of the journal as relates to the subject, and it will be seen that, by a full party vote, the decision was against calling upon the president for an assignment of his reasons:

"*Resolved*, That the president of the United States be respectfully requested to communicate to the senate, the number, names and offices, of the officers removed by him, since the last session of the senate, with the reasons for each removal.

"On motion by Mr. Grundy, that said motion be postponed indefinitely, it was determined in the affirmative—yeas 24, nays 21.

"On motion by Mr. Grundy, the yeas and nays being desired by one-fifth of the senators present, those who voted in the affirmative are,

"Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Grundy, Hayne, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith, of South Carolina, Tazewell, Troup, Tyler, White, Woodbury.

"Those who voted in the negative, are,

"Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnson, Knight, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Sprague, Webster, Willie."

Gentlemen may say, that there is a difference between calling upon the president by a resolution, and calling upon him by an act of congress. I can discern no such difference. If the senate possesses the power, it is derived from the constitution; if it do not possess it, an act of congress cannot confer it.

It is argued that this will give more stability to the tenure of office. I am not satisfied that this is desirable. I protest against this ownership of office, so much insisted on by those opposed to this administration. Officers ought not to be induced to believe, that they have a freehold estate in their offices; they should be taught to rely upon their own good conduct and faithfulness as the only means by which they can be continued in public employment. Further; although I am no ardent or extravagant advocate for rotation in office, I would not say that those who might be so fortunate as to be appointed to profitable places, requiring no particular skill or qualifications, should hold them to the exclusion of all others during their lives. I can see no impropriety whatever, after they have enjoyed the benefits of office for a reasonable time, in their places being bestowed on others equally meritorious and as well qualified.

It is no disparagement to a man's standing or character, that another individual has been found who can perform the duties of his office as well as he can, and that others had been appointed in his place. If the office has been advantageous and profitable, he should not enjoy the whole benefits in preference to all his cotemporaries. On the other hand, if the office has been burthensome, he ought, in proper time, to be relieved from it.

It is impossible to forget the events which have preceded the wonderful change of opinion which has been produced in the views of some gentlemen as to the power of removal. In 1830, a few politicians had been removed, and their friends called the power of the president in question, after it had been quietly exercised for forty years; but a majority of the senate repudiated the idea, that they had the constitutional right to rein up the executive upon that point. Never was a majority found to oppose the rights of the president, until he used it for the purpose of executing a measure which was intended to affect the interests of the bank of the United States. Since that time, we all know, a most serious exertion has been made to produce the impression upon the public mind, that the right to remove does not exist in the president, under the constitution, and now it is seriously insisted on, and may be so decided for the first time, that the president has no right to remove his own secretaries, without the consent of the senate.

That this bill, by its repeal of the act of 1820, tends to strengthen executive power, cannot, in my mind, admit of a doubt. Now, all executive officers embraced in the act of 1820, go out of office every four years by *operation of law*. There is a recurrence at such periods to the appointing power, the president and senate. They hold now at the will of the president and senate; of the president at all times, and of the senate expressed once in four years; but if you repeal the law of 1820, they will hold at all times at the will of the president *only*. If it be said, he may fail to reappoint under the law of 1820, it may be well answered, that he may remove at all times, were that act repealed.

That taking away the frequent recurrence to the appointing power is weakening the executive branch of the government, is, to my mind, a novel idea. Would it strengthen executive power, if all the secretaries, treasurer, register, solicitor, comptrollers and auditors, had to pass the senate every four years? On the contrary, would not such a law very much weaken the executive, by compelling him to have such counsellors and aids as would be acceptable to the senate, as well as himself? Whenever one of these officers became obnoxious to the senate, however much he might be the favorite of the president, he would be driven from office, by the rejection of the senate, at the end of four years. The same principle applies to the officers embraced by the act of 1820, who are executive officers as entirely as secretaries and comptrollers; and if gentlemen are desirous to curtail executive power, the wiser course would be, not to repeal the law of 1820, but enlarge its provisions and bring all these officers under the revision of the senate. If, under the existing law, the president may remove some who are agreeable to the senate, he cannot, under its operation, appoint any who are not so.

The senators are elected for six years, and therefore it may be anticipated that a majority of them will oftener be opposed to a majority of the people, than the president or house of representatives. If they can compel the president to retain in office men of their principles, instead of having executive officers whose opinions correspond with his own, and of the majority of the people who elected him, then may the people give up all idea of ever reforming this government by a change of president of the United States.

I will now take a nearer practical view of the operation of the third section of the bill under consideration. Suppose the president assigns his reasons for the removal of an individual from office, as required; the first question presented to the senate is, are these reasons sufficient to justify the act of removal? If they shall be adjudged sufficient, then another question arises, are they true? The president may have been misinformed, or in the language of a distinguished member of the other house, the fact may be true and still not be proveable according to the

rules of evidence. You thus place the president of the United States in the odious attitude of an accuser and public prosecutor; and in some, perhaps in many cases, he may fail to make good his reasons by proof. Surely gentlemen will not attempt to escape from this state of things by saying that exculpatory evidence shall not be received in behalf of the dismissed officer. This course will be too unjust to be tolerated. The senate has required of the president to transmit to them the reasons why the individual has been removed; the president has sent them, and they are placed upon the records of this body, the highest known to the constitution of the country. Now, are gentlemen prepared to say, after they have caused to be made public charges against the character of a removed officer, after they have inscribed them upon their own records, that they will not hear that evidence which will show that the chief magistrate has been misinformed, and that the charges made are unfounded in truth? I can only answer for myself: my sense of justice would constrain me to hear the evidence, and thereby vindicate the character of an individual who might otherwise suffer great injustice. It will be readily seen that by this course of proceeding, the whole time of the senate would be consumed in settling controversies produced by the operations of this bill.

Another objection is, that it destroys the responsibility of the president. As the law now stands, he is responsible, I mean not in a criminal point of view, but he is responsible to public opinion for the management of the whole executive department of the government, and it is his duty to dismiss from the public service any and every public officer who fails to perform his duty, so soon as he is informed of it. But if the senate can force him to retain in service executive officers against his will, may he not justly say, "I could have had all executive duties well performed if I had been permitted to employ agents in whom confidence could be placed; but the senate has compelled me to retain in the service of the executive department of the government, men unworthy and faithless; and therefore I cannot justly be held responsible for the management of that department of the government at the head of which I am placed." It seems to me, if gentlemen will review this whole subject, they will be brought to doubt whether that self love and confidence which each man has in himself, has not had some share in inducing them to believe that this power of removal could be more safely trusted in their hands than in those to which it has hitherto been confined. Particular portions of the constitution have been relied on by the advocates of this bill, for the purpose of showing that we have the power to restrain the executive in the exercise of the removing power. The second clause of the second section of the second article is relied on. It reads:

"He (meaning the president) shall have power by and with the advice and consent of the senate, to make treaties, provided two thirds of the senators present concur, and he shall nominate, and by and with the advice and consent of the senate, shall appoint, ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the congress may by law vest the appointment of such inferior officers as they think proper in the president alone, in the courts of law, or in the heads of departments."

Reliance is placed upon the last sentence of what I have read. A sufficient answer to all the argument I have heard is, that we are not now passing a law vesting the appointment of inferior officers in the president alone, in the courts of law, or in the heads of departments. Were we now passing a bill creating inferior officers and vesting their appointments as provided for in this clause of the constitution, then questions might arise on whom the appointing power should be conferred, and also whether in such cases the removing power would not properly attach itself to those to whom the appointing power was given; but these questions cannot arise upon the bill before us. This bill is of a different character altogether; it embraces officers, the appointment of whom cannot be transferred from the president and senate by law. It includes ambassadors, other public ministers and consuls, which must be appointed by the president and senate, under the general authority conferred on them, in the first part of the clause of the constitution I have just read.

A part of the eighth section of the first article of the constitution has been referred to, to sustain the power of congress in passing the bill. In the enumeration of the powers of congress it is declared that "congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department thereof." I cannot myself discern the least application or support which this bill can derive from this part of the constitution. The power given by it is to pass laws, to carry into effect the powers vested in the government of the United States, or in any department or officer thereof. Now, I am at a loss to see how gentlemen can discover in this a power given to congress to deprive an officer of the government of rights or powers vested in him by the constitution. If the power of removal was of such a nature as to require legislation to enable the president to exercise it, then it might be our duty to pass laws in aid of the executive; but no law is necessary to assist him in the execution of this part of his duties, nor can we incumber or disable him in its exercise by our enactments.

The senator from Kentucky (Mr. *Clay*) asks us, if we mean to insist that the decisions of the congress of 1789 are decisive and conclusive in all cases; if so, it decided in favor of a bank of the United States, and a protecting tariff, to which most of the friends of the administration are opposed. To this inquiry, a satisfactory answer can be easily given. The decision of that congress for a bank was never acquiesced in for a single day. A large portion of the American people denounced it at the time; the opposition to it was kept up steadily during the whole existence of its charter. Mr. Jefferson, the leader of the republican party, never for a moment ceased his hostility to it, not only upon the ground that it was unconstitutional, but also that it was dangerous to the liberties of the people. This was not only his opinion, but the opinion of a great majority of those who professed to have adopted his principles of government. The question of the bank was at all times litigated, never acquiesced in. Not so as to the removing power, that was decided, and universal acquiescence and silence in regard to it continued for forty years.

As to the tariff, spoken of as imposed by the congress of 1789, no argument can be drawn from it to justify the tariff from which the country is now gaining gradual relief. The tariff of 1789 did not exceed, nor even equal, the necessities of the country. So far as I have understood the late controversy respecting the tariff, it has not been contended that duties may not be laid and collected for the purpose of carrying on the government, and paying its debts. The objection is to imposition of duties to raise money not needed by the government for constitutional objects, but for the purpose of bettering the situation of one portion of the community to the prejudice and at the expense of another portion. But a tariff imposed for the sole purpose of raising the sums necessary to carry on the government, administered upon an economical plan, and thereby affording protection incidentally to domestic manufactures, is not the kind of tariff which has been complained of, and which has met with such serious opposition; and gentlemen may take it for granted, that any other tariff than such as I have last mentioned, will never be acquiesced in.

The senator from Kentucky (Mr. *Clay*) says the people have elected the president, and, right or wrong, they will sustain him. This seems to me to be underrating the patriotism and intelligence of the American people. If he were the tyrant, usurper and despot, which he has been described to be, the people would not sustain him. If they could have been persuaded that he had usurped powers not delegated by the constitution or laws, but had acted in derogation of both, they would not sustain him. The people of the United States elected Mr. Adams the elder, but they did not sustain him, because, in their opinion, the alien and sedition laws, passed by him and his political friends, were violations of the constitution, and showed that the rights of the people were unsafe in their hands. In the same manner would the people abandon the present chief magistrate, were he to do an act plainly violating the constitution, or were he to act in disregard of the rights of the people.

Mr. Jefferson, Mr. Madison and Mr. Monroe, were all the choice of the people when they were elevated to the chief magistracy, and the people sustained them upon the same principle they sustain the present chief magistrate. They believed them to be, as they believe him to be, honest, capable and faithful to the constitution. When the younger Mr. Adams was made president, he was not the choice of the people, and they would not sustain him, and the fact of his not being their choice when he became president, contributed, more than all other causes combined, to his defeat in the election of 1828.

It is further said, that the people will not credit those who lay the misdeeds of the present executive before them. This should rather induce gentlemen to doubt the soundness of their own opinions, when the great body of the people, upon a fair exhibition of the facts and arguments, decide every important question against them; and gentlemen should not indulge the spirit of prophecy too much, unless there is a reasonable certainty that the facts foretold will follow the predictions. If, at the last session, the people of the United States could have been persuaded that they were wretched and miserable, when they felt and knew they were happy; if they could have believed that they were ruined and bankrupt, when agriculture, commerce, manufactures and all the mechanic arts, were flourishing in a higher degree than at any former period, then, indeed, would gentlemen have succeeded in putting down the present chief magistrate. The people of the United States, however, attentively surveyed the controversy carrying on between the president of the United States and those by whom he was assailed. Each individual examined into his own condition for himself, and ascertained as far as practicable how far the acts of the executive, or the acts of the bank of the United States, had operated injuriously upon his interests; and, after full examination thus made, the judgment of the community has been, so far as it could be given, pronounced in favor of the acts of the president, and against the bank of the United States. The gentleman from Kentucky (Mr. *Clay*) tells us, that the bank is now out of the question; that no proposition to renew the charter will be brought forward. My fear has been, and is, that the lion is not dead "but sleepeth;" and that, upon a promising occasion, he will rouse up from his slumbers, and exert all his powers for a prolongation of his existence.

We are again triumphantly asked, where is the treasury of the United States? I answer, safe in the deposite banks, subject to the drafts of the treasurer, without any loss or diminu-

tion whatever. We are told, that the president has asked congress to pass a law regulating the safe keeping of the public money; but the senator from Kentucky says, no such law will be passed this session. This I think probable, because, at the last session, a bill to that effect passed the other house, but failed in this; and the same thing may occur again, even should the friends of the bill be able to pass it in the house of representatives. The president and his friends are anxious that the public moneys be kept under rules and regulations prescribed by law. If this cannot be accomplished, the fault will not be theirs.

Mr. President, I had intended to say much more on this subject, but the state of my health, together with that desire which every senator must feel to despatch the public business at this late period of the session, will induce me, so far as I am concerned, now to submit the important principles involved in this bill to the decision of the senate.

February 20.

Mr. *Poindexter* said, that, since this subject had been under the consideration of the senate, he had felt anxious to express his opinions upon its principles. It opened before us the whole theory of our government. But from respect to the senate, and a belief that it had been amply discussed to enable the people to understand it, he would not take up the time of the senate, by entering far into the discussion. He had wished in particular to examine the doctrine of implied powers. He denied the whole theory altogether. The executive powers of the president were derived from legislative enactments. There was no such thing as implied powers in any branch of the government. Where power was given, it was expressly declared and specified in the constitution. There was another point he wished to have discussed. That was the power of impeachment. But he would forbear.

Mr. *Calhoun* said, the third section of the bill, involving the question whether the power of removal resided in the president by the constitution or not, was one of no ordinary character. Upon its decision, momentous consequences depended. He believed the future destinies of this government rested on that decision. But that subject had been ably discussed by gentlemen qualified for the task, and he would not occupy the time of the senate by repeating their arguments. He intended to confine himself to a single point.

Mr. C. said the power of removal existed either as a power necessary and proper for carrying into effect the provisions of the constitution, or as an express grant of that constitution. If it was necessary for carrying into effect the constitution, it was more properly a legislative than an executive power.

He had relied on the decision of 1789 as the true and proper exposition of the constitution, until last winter, when his attention was particularly called to the subject. He then took up the subject and looked over the debate of that time. He thought the arguments of the minority exhibited a just view of the question, and were unanswerable.

Mr. C. said, some senators had grounded their arguments on the supposition that this power was contained in that general sweep, where all executive power is granted to the president. Others maintain that it was an inherent power. But he disagreed with both opinions. Mr. C. wished to turn to the practical operations, and see how these powers would work. Among so many constructions, there could be no government. Every officer, from the president down to the constable, must show some grant of power, either from the constitution or law.

Congress was the great central point where all power must receive its sanction and direction, instead of being directed according to the views of separate and conflicting departments. If the different departments of the government should be placed in hostile array against each other, it was easy to see which would prevail. The president executed the laws and was clothed with their authority; he put all the machinery of government in motion, and without him the laws were powerless. The judicial department might decide upon the propriety and application of the laws, but the president must enforce their decisions. Hence it was easy to see which department would prevail in the conflict.

Mr. C said, he had been unjustly dealt with. He had been represented as saying that all the officers of government were the supple tools of executive power. That was far from his meaning; he believed there were many upright and conscientious officers. But his fears were for the future. He had seen within a few years persons of the noblest spirit and purest intentions, quail before that magic influence, which has power over all, and before which the loftiest bow down. Before it, Roman firmness had been broken; and every manly virtue blasted beneath its withering influence. And whoever contended for that power, upheld a mighty influence which would swallow up our free institutions.

There was, said Mr. C. an immense amount of discretionary power, which must be vested somewhere, and he thought it should be intrusted with congress, as the immediate representatives of the people. The president was sufficiently protected by his negative over the laws of congress. And here, Mr. C. said, he differed with his honorable friend from Maryland (Mr. *Kent*) in regard to the veto power of the executive. He believed that power was granted, not only as a protection against the encroachments of congress, but also to prevent all laws which might embarrass him in the performance of his duties. The judicial department was fortified by its permanence and tenure of office.

Mr. C. said, that if they wished to have the public business transacted faithfully, the officer should be made safe; as sure of his place as if it were a freehold. Such should be the policy of the government, unless they meant that offices should be the spoils of victory, and be divided like conquered lands in former times. Every president ought to rejoice in the opportunity of giving his reasons and explaining his conduct to the people.

Mr. C. went on to state, that the doctrines contained in the bill were precisely the same as those which had been advocated by the friends of this administration, and upon which it came into power. He held the grounds of canvass sacred—pledges should be redeemed, and assurances given to the people be scrupulously fulfilled.

Mr. C. said the senator from New York (Mr. *Wright*) had attempted to shew there was no danger from the multitude over which executive power was exercised. He then went on to show that there was danger—an irresistible influence exerted through each division and subdivision of that great mass. He referred to rotation in office. He thought where the offices were filled by the people, rotation might be practised; but where they were filled by the will of a single man, it tended to make slaves and supple tools of men.

February 14.

The senate having resumed the consideration of the bill to repeal the four years' law, and other gentlemen having spoken,

Mr. *Clay* said that he had intended to make a few remarks; but as it was late in the day, and as this was Saturday evening, he would postpone what he desired to say to another time. He begged leave, however, to throw out, rather for the information of the senate and the committee, than to force a discussion, an amendment which he proposed as a substitute for the second section, which amendment was entirely in effect what he had submitted last session, in the form of resolutions. The amendment went a little farther than the second section as it now stood; but that section involved the principle of the amendment. He hoped the senator in his eye would come out on the question, and let it be seen if there was any one on this floor who would rise and assert that the president had the power, without any ground, even of constitutional implication, to remove from office; that the stream could exist without the spring. If the president had such power, then the constitution was not worth a sous. The friends of the administration seemed to be rather shy about the constitution, except one who said that he would not touch it. Was it because the subject was above his power? Not so? That gentleman had already given evidence that he possessed the ability. Could he find no constitutional foundation for the erection of this power? I object, (said Mr. C.) to give the president a band of 100,000 pensioned officers, more efficient as a guard than the Prætorian band of Rome. If there be this power of removal expressly given in the constitution, and I have sought sedulously to find it; if it be an inherent power, let the gentleman show us the fact, that it may be opened to the human vision. When the subject shall be resumed on Monday, I shall come here in the hope that some of the leaders of the administration party will come out, with book in hand, and show the text for this tremendous power. He would, for the present, content himself with laying the following amendment on the table:

Be it further enacted, That in all instances of appointment to office by the president, by and with the advice and consent of the senate, the power of removal shall be exercised only in concurrence with the senate; and when the senate was not in session, the president may suspend any such officer, communicating his reasons for the suspension during the first month of the succeeding session; and if the senate concur with him, the officer shall be removed; but if it do not concur with him the officer shall be restored to office.

Mr. *Buchanan*. I am exceedingly sorry, Mr. President, that the senator from Kentucky (Mr. *Clay*) appears to be disposed so often to pay his compliments to myself.

Mr. *Clay*. I had no allusion to the senator from Pennsylvania, when I referred to the leaders of the administration party.

Mr. *Buchanan*. When the gentleman spoke of the leaders of the administration party, he looked at me, and I understood him as alluding to me, or I thought he did.

Mr. *Clay*. I assure the gentleman I had no allusion to him whatever. I might look at him, as he looks at me sometimes; but I think at the time I spoke of the leaders of a particular party, I was looking rather to the senator from New York, (Mr. *Wright*), than to him.

Mr. *Buchanan*. Without going further into the question of who the gentleman referred to in his remarks, I will simply state, that whenever he thinks proper to take up the subject, and attempt to prove that the practice under which this government has flourished, and which was sustained by Madison, is not founded in reason and justice, is not necessary for the proper administration of the government, and is not consistent with the constitution, then I will be ready to meet him.

Mr. *Clay*. We shall meet then at Philippi.

Mr. *Shepley* said that the senator from Kentucky had not understood him correctly. He (Mr. S.) had remarked that he would not *then* discuss a question which opened so wide a field, because time did not admit of it. He did not, and would not, shun an inquiry into the correctness and constitutionality of a practice which had been, and still continued to be, exercised by every administration of this government, from its organization down to the present time.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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We insert a great mass of curious and important matter in the present sheet. The doings of the people, on account of the gamblers—of the intended insurrection of the slaves—and on the means resorted to to induce them to murder their masters and others, present us with horrid pictures of the state of society. The cases that we have offered, are only as *specimens!*—selected out of a mighty mass of articles relating to the subjects spoken of.

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The state of society is awful. Brute force has superseded the law, at many places, and violence become the "*order* of the day." The time predicted seems rapidly approaching when the mob shall rule. It was heretofore confined to New York and Philadelphia—but there were many base murders on the Baltimore rail roads yet unsatisfied; in the vicinity of Boston we have the battles of the "Corkonians" and "Kerrymen" to be added to the conflagration of the Ursuline convent—and "Red Row," in Moyamensing, (Philadelphia) has been just destroyed by fire. A bad feeling is getting up in several other places, and on many different accounts—but has burst out with the greatest force in Mississippi; where persons have been *executed* in an extraordinary manner. The post office has been broken open in Charleston, and meetings been held at a number of the cities and towns of the south, with a fearful looking to events. Impudent *foreigners*—such as *O'Connell* and *Thompson*, are interfering in our domestic relations—and the fanatics who follow them have set their presses at work to spread desolation and death through the whole south—as may be partially seen by a reference to several articles inserted in the present sheet.

The time was when every citizen of the United States, would "rally round the standard of the law, and unite in common efforts for the common good"—when a person, armed only with a small piece of paper, could proceed a thousand miles through the country, and bring the strongest man to answer to the law, for the law was honored. But is it so now? Alas, no!

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Another pamphlet, of 146 pages, issued by Reverdy Johnson and John Glenn, *on the affairs of the bank of Maryland*, appeared on Monday last. We have not yet read it.

The feverish or fidgetty state of Baltimore may be judged from the fact, that the mayor has called a meeting of the people to "insure the preservation of the public peace."

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We learn that the *Northern bank of Kentucky* has purchased of the United States bank, their office at Lexington, Kentucky, comprehending their active debt, specie, banking house, &c. &c. and become their agent for winding up the suspended debt on terms that will enable the bank to go into full operation within four or five weeks.

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The U. S. sloop of war *Falmouth*, McCauley, commander, has arrived at Norfolk from the West India station—last from Pensacola.

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The "travelling cabinet" was a term oftentimes used a few years ago. Now, or very recently, the president and every member of the "cabinet, was absent from Washington, Mr. Amos Kendall excepted.

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A disastrous fire has happened at Cleveland, Ohio. The whole range of buildings from the bookstore of J. Kellogg, to the Mansion House, is laid in ruins. The estimated loss is nearly, or about 75,000 dollars.

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Daniel Webster, judge Story, Horace Binney, John Sergeant, gen. Jones, Benjamin Watkins Leigh and John C. Wright, have been respectively selected by their fellow citizens to deliver an eulogy on the late chief justice Marshall—and they all have consented to perform the duty assigned them.

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The whigs of Virginia, are earnestly requested, in the Lynchburg "Virginian," "to meet together in their respective towns and counties, as soon as practicable, and appoint one or more delegates, to meet at Lewisburg, Greenbrier county, on Tuesday, the 15th of September next, to consult together and devise some means of preserving the public liberty, *and of securing our* free institutions against the machinations of political and religious fanaticism! *Prompt and decisive action is essentially necessary—and the country expects you to do your duty.*"

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The "Corkonians" and "Kerrymen" have been "*laying timber*" on one another in the neighborhood of Boston. The leaders were arrested—but the witnesses were loath to testify against them, until assured of the protection that the law would afford them!

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The "National Intelligencer" of yesterday has an account of an attempt to murder Mrs. *Thornton*, (relict of the late Dr. T.) by a negro man, armed with an axe, in the night—which the editors believe was the effect of reading some of the inflammatory publications with which the mails have latterly been loaded. The rascal made his escape. The attack was made on the lady while in bed. This is the "first fruit" that has happened in Washington.

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Nests of gamblers have been broken up at *Norfolk*, and several other places. They are very numerous in the United States.

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Eight cases of cholera have appeared at Buffalo—four of which proved fatal.

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Isaac McKim and *Benjamin C. Howard*, both of the city of Baltimore, have been nominated by the friends of Mr. *Van Buren*, as members of congress, to represent the district composed of the city of Baltimore and county of Anne Arundel.

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The New York Gazette states that the king of the French has given his royal assent to the American indemnity bill.

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At Union college, Schenectady, New York, the honorary degree of L. L. D. was conferred on Abraham Van Vechten, the rev. John Breckenridge and Roger B. Taney. So we have *doctors Henry Clay, Andrew Jackson* and *Roger B. Taney*.

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Mr. Muhlenberg is called the *New York* candidate for governor of *Pennsylvania!*

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The weekly report of interments in New Orleans, for the week ending with the 12th ult. is given in the True American as follows: Potter's field 40; Catholic 16; American 2—total 58. This is a very moderate number for the place and the season, and would seem to denote unusual exemption from fatal diseases.

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The harvest has been an abundant one, notwithstanding the Jeremiads that were said and sung and groaned about it, a little while ago—and the growing crops of corn present the best possible evidence of an extra yield. The potatoe crop will, probably, be exceedingly large. So it is, or promises to be, with respect to other important articles.

At a highly respectable meeting of merchants and other citizens of Baltimore, held at the Exchange on Monday last, at 1 P. M. agreeably to a public call in the papers, *F. W. Brune*, esq. was called to the chair, and *William Crawford*, jr. appointed secretary.

The following preamble and resolutions were offered by *B. I. Cohen*, esq. and unanimously adopted.

Whereas, the merchants and other citizens of Baltimore have, for a long time past, suffered under the inconvenience repeatedly, of irregularity in the great northern mail establishment, so much so indeed as almost to deprive them of the security in commercial transactions dependent on the regular arrival of the mail:

And whereas, the failure *again* of the northern mail to reach them on Saturday last, 1st inst. is a matter of too much importance to pass unnoticed, involving as it does, delay which may be ruinous to their commercial interests:

And whereas, the merchants and other citizens of Baltimore are far from considering these repeated irregularities beyond remedy, when made known to the proper department—therefore,

Resolved, unanimously, That the postmaster general be respectfully and earnestly requested to take this subject into immediate consideration, and so to endeavor to arrange the mail line, that its arrival in Baltimore may be less liable to delay, and more certainly to be relied on.

Resolved, That the chairman and secretary of this meeting be directed to communicate these proceedings to the postmaster general, with the expression, that the citizens of Baltimore indulge the hope, that when the great inconvenience under which they labor from this cause is known to the department, that proper measures will *be taken* to remedy them.

F. W. Brune, *president*.

William Crawford, jr. secretary.

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The following, from the Baltimore "American," will shew the wretched manner in which the affairs of this rail road company are managed. No more regard appears to be had to the public interest, than to private accommodation. The boats* are sometimes so packed, that the power to move is denied in them!—and, as we have said before, the passengers are treated as so much "*live lumber*." And yet this company claims a *monopoly* of rail road privileges across New Jersey, under the laws of the state! The power of that law will soon be tested—another railway being nearly completed; and which the public will keep clear of the monopolists.

We learn (says the American) from a gentleman who left New York with the mail for the south, at four o'clock on Friday afternoon, that its failure to arrive in Philadelphia in time for the Baltimore boat on Saturday morning, was owing to the following causes: In the first place, the steamboat on the route from New York to Amboy was laden to the brim with merchandise, by which her trip to Amboy was prolonged, if we remember aright, to twice the time of an ordinary passage. At Amboy the passengers were detained about an hour and a half until several car loads of merchandise were transferred from the steamboat to the cars. When the train reached the elevation in the cut about a mile or two from Amboy, the locomotive was unable to surmount it, and was compelled to return to a point where a part of the train could be detached. In the mean time a violent storm had arisen, and when the locomotive attempted the second time to pass the cut, its progress was impeded by the sand with which the rain washings had covered the rails. Here was another detention until implements could be sent for and the rails cleared. After getting under way, the train proceeded about five miles further, when one of the merchandise cars got out of order and was finally thrown off the road after being unladen of its contents. No other mishap occurred, but our informant states that when he reached Philadelphia, after a fourteen hours' journey from New York, the Baltimore steamboat had left there an hour before.

Instant dismissal should follow such proceedings—and must.

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A skeleton of a gigantic animal of the lizard kind known to naturalists as the *Ichthyosaurus Platyodon*, has been discovered by Miss Mary Anning, an indefatigable geologist, near Lyme Regis, in England, in the lias deposit. From the size of the bones found, it is thought that the animal must have been thirty-five feet in length; and of proportionate bulk.

*Between New York and Amboy.

A large slide has taken place in the deep cut of the Chesapeake and Delaware canal, which will almost obstruct its navigation for some time to come, and cost a large sum to remove.

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Moving Houses. The large and heavy block of two story brick dwelling houses with their respective back buildings attached, have been moved entire from their ancient location on German street, Baltimore, and been made to take up a new position about 12 feet in the rear of that previously occupied. The removal was successfully and handsomely performed, under the orders and superintendence of Mr. Bakewell, on Saturday last. The arrangements throughout denoted great practical judgment and skill. More than ordinary difficulties were interposed in this case, arising as well from the magnitude of the block of buildings as from the nature of the ground in front. The job was done, however, in a style which reflects great credit on the skill of the contractor. Mr. Bakewell has had considerable experience in this line in New York; and his experience embraces the raising of brick buildings perpendicularly, as well as their removal horizontally; but we understand he considers the difficulties which he had to encounter in this case, equal to, if not beyond any previously met with. Great as they were, these difficulties were however conquered, and this heavy block of buildings now ranges handsomely upon the new limit assigned to German street. [*Pat.*

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Maryland state loans. On the subject of the loan lately negotiated by this state, the Maryland Republican of Saturday last, makes the following satisfactory statement: "The premium received for the two loans recently negotiated by the treasurer of the western shore, amounts to $504,748, which being immediately vested in the stock now created, at the rate at which it was sold, the state already has by this operation, the sum of $432,000, at six per cent. interest, payable quarterly, which interest, as soon as received, is to be regularly invested, thereby rapidly accumulating a sinking fund, which will more than pay off the whole of the loans, long before the period, for which they were negotiated, arrives.

The loan for two millions, was sold at $116 40, and the last loan, one million, at $117 60. The average is equal to $103 for five per cent. stock—which is more than the state ever received for any of her five per cents. The premium received for both, was $54,748, *more* than the limit prescribed by the law authorising the loan. It was sold for more than the best informed, disinterested, and extensive bankers of N. York, who had been duly advised with, gave as their opinion, that it would bring—and of course, for the best terms that were offered to the treasurer. A very few of the offers for *partial sums*, were at as high a premium as was obtained—and the total sum that was offered for at a higher premium, bore no proportion to the sum required. It is to the credit of the spirited bankers of our own state, that they would not allow foreigners to outbid them.

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The Boston Daily Advertiser of Saturday has the following paragraph in reference to the health of that city:

In consequence of the paragraph in yesterday's paper signed *Central wharf*, some investigation has been made respecting the alleged causes of disease on the wharves there named. We are informed that there are no hides on Central wharf, or any other wharf except Rowe's wharf, and that these have been recently examined, and were found perfectly sweet. The city officers are vigilant in discharge of their duty. A few days since some offensive hides were landed on India wharf, which were immediately removed. There have been but few cases of fever, of any kind, and this city is remarkably healthy. Two of the lamented deaths of distinguished merchants within the present week were of apoplexy, and one of fever.

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A correspondent of the New York Daily Advertiser, from Lowell, relates the following story: We hope that it may serve as an admonition to many, in Baltimore and elsewhere, who lumber the streets so unmercifully, and for such long periods of time.

"One of the most amusing stories I have heard about manufacturing in this manufacturing region, relates to the fabrication of buildings of the largest class. A contract was made with a builder in one of the interior towns of Massachusetts, to build a country meeting house by a certain day. The time approach-

ed within a few weeks, and not a stick of timber was upon the ground. The cellar was dug, and the foundation indeed laid; but it seemed from all appearances, that the contractor had given up all intention of performing his agreement. A lawyer was consulted concerning the proper manner to proceed for damages; but, after some longer delay, and I believe within two or three weeks of the time, a long train of carts and wagons entered the town, with all parts of the meeting house exactly prepared, fitted and marked, fresh from the mills, where the contractor made his meeting houses by the job. Once on the ground, and a sufficiency of hands attending, the frame was raised in the twinkling of an eye, the pews, pulpit, galleries, &c. were knocked together, the building was boarded, floored, shingled, glazed and painted without delay, every thing scrupulously performed to the strict letter of the contract, up to the lightning rod, ball and weathercock, and the key delivered over to the building committee some days before the stipulated time."

Movement in Ohio. At a large and respectable meeting of democratic citizens of the state of Ohio, opposed to the nomination of *Martin Van Buren* and *Richard M. Johnson*, as candidates for the presidency and vice presidency, by the officeholder's convention, which met in the city of Baltimore on the 20th of May last, held pursuant to notice, in the city of Columbus, on the evening of Saturday the 18th July, *Joseph Ridgway*, esq. being called to the chair, and *D. W. Deshler* appointed secretary, the following resolution was adopted, viz:

"*Resolved*, That it be recommended to the freemen of Ohio, who are opposed to the nomination of *Martin Van Buren* and *Richard M. Johnson*, to choose delegates for the purpose, if they should deem it expedient, of holding a convention, to meet in the city of Columbus *on Monday the 22d day of February next*, in order to form a ticket for electors of president and vice president of the United States, and adopt such other measures as may then appear necessary to defeat the candidates of the officeholders."

A letter from Liverpool says—

"About two thousand copies of Fanny Kemble's Journal have been sold. It excites general disgust. The authoress has unsexed herself. The curiosity is, we in England are far more angry with the work, than you whom its libels and ingratitude more nearly touches."

Extract of a letter from the American consul, dated *St. Johns, P. R. July* 17, 1835.

The disturbances on the Main continue, and have been of such a nature in Colombia, that the president and vice president have left, and arrived at St. Thomas on Wednesday last—we have not learned the particulars.

[*Philadelphia Exchange Books.*

Strike at the Washington navy yard. Yesterday afternoon about 150 of the mechanics employed in the navy yard marched in a body to the secretary of the navy, to pray for a redress of grievances. We understand that the workmen employed in the yard complained of an order issued by the commodore yesterday morning, which they considered as arbitrary and an undeserved reflection upon their integrity. We cannot learn the particulars; but we understand that great excitement prevails among the mechanics in the yard. [*Mirror.*

The copper mines of Strafford, in Vermont, are owned and worked by a company of individuals in Boston. The drift or excavation which was made to reach the ore, has been pushed into the side of the hill to the distance of seven or eight hundred feet, and a rail road has been laid to the extremity of the drift for the purpose of bringing out the ore. After the ore has been blasted, the following process is pursued:

The most valuable portion of it which contains a large amount of copper, is selected and carried off to the copper furnaces—situated a short distance from the hill. The remainder is broken into small pieces; large quantities of water are then pumped on the heap, which causes the ore to slack. The water passing through becomes highly impregnated with copperas, and at the bottom of the hill is received into drains which convey it into reservoirs. From these it is let off into the furnace boilers; when sufficiently heated it is again let off into vats called coolers, and from these it passes into other vats where the process of crystalization takes place. Rods having pins of about a foot in length stuck in them, are laid across the vats, and around those pins the copperas collects in large crystals of a bright color. When fresh from the vats they have an exceedingly beautiful appearance. Near 1,000 tons of copperas are annually obtained by one of the establishments.

Texas. The Mobile Register of July 20, contains the following observations on the political condition and prospects of Texas:

The state of things in Texas is really critical. The colonists are evidently preparing to stand to their arms, and resist the invasion of Mexican troops threatened by Santa Anna. At the latest accounts, Santa Anna was believed to be making preparations at *Bahia* to march upon Texas. Doubts were nevertheless expressed by some of the truth of this report, at least to the full extent apprehended by others. It was said by passengers at New Orleans, on 14th, from Brazoria, that Santa Anna's expedition was ordered in consequence of the false report that, in the affair of the *Montezuma*, the Americans had hanged several Mexican officers—on hearing the facts he countermanded the order, and sent only 200 men to Matagorda, as a protection to the commerce of the country.

Notwithstanding these conflicting opinions as to Santa Anna's objects, we have reason to believe that actual hostilities have been commenced by a portion of the Americans in Texas. A paragraph in the New Orleans Bulletin of Saturday says, that, captain Moore, of the schooner Shenandoah, in a short run from Brazoria, reports that the Texonians had seized upon the fort at Annahuac, garrisoned by one hundred men, whom they captured and sent to St. Felipe. A portion of the people thought this step was pushing matters to extremities, and one as uncalled for, but all were determined to maintain their just rights should they be assailed by the Mexican powers."

New Orleans, July 17. It is very probable that this section of the republic of Mexico (Texas) will soon be at war with the general government of that country. The affairs of Texas are fast approaching to a crisis, when it will be necessary for her to submit tamely to oppression, or to rise in arms against her tyrants. Santa Anna seems resolved to reduce them to submit to the arbitrary and unequal laws which have been enacted against them by the Mexican congress.

It is impossible for Texas to remain long under the dominion of Mexico. The character of the Texonians, who are generally emigrants from the United States, is too essentially different from that of the Mexicans, for them to remain long attached to the uncongenial laws and customs of Mexico. The Texonians are too far a-head of their present would-be masters—they know too much of the principles of republicanism, and are too much attached to the free institutions they have been taught from childhood to appreciate and revere, to allow themselves to be trampled upon.

We have received papers from Brazoria, up to the 27th of last month, which inform us that Santa Anna is collecting troops, arms and munitions of war at Bahia, with a view of marching into Texas, for the purpose of enforcing the proscriptive law lately passed against that state by the Mexican congress. We will soon, doubtless, see whether the fortunes of the Mexican Hun can withstand the American rifle.

☞ The state of our affairs with Mexico may probably render the condition of the people of Texas more difficult. The revenue cutter Ingham, on the New Orleans station, has had a brush with the Mexican (government) schooner Montezuma—commenced by the latter, (a fast sailer), but who, finally, thought it most safe to run among the breakers, and seek safety at Brazos St. Yago—after the exchange of a few shots.

One hundred and four persons lately lost their lives by an explosion in a coal mine, at Wallsend, England. In 1821 an explosion happened in the same mine by which 75 lives were lost. These things are of common occurrence in the English mines—many of which are very deep.

ITEMS.

From Brazil By late accounts from this country, we learn—"Quiet prevailed at Bahia—but we have been shocked with a

description of the extent to which the *horrid traffic in slaves* is carried on in vessels which clear at that place. On the 15th of June, a large vessel called the Marinario, arrived there from the coast of Africa in ballast, reporting as left at the Bite of Benin five vessels waiting the arrival of slaves from the interior.—Eleven vessels remained at Bahia the 20th June, waiting cargoes of tobacco and rum, with which to sail for the coast of Africa—no doubt for the purpose of trafficking in slaves. Three vessels have previously sailed under the flag of Donna Maria to engage in the same wretched business. The difficulties with which the slavers are detected and taken are very great. In the month of May a French schooner under the Portuguese flag, from the coast of Africa, with a cargo of blacks, was taken by a Brazilian brig of war, when on trial it was proved to the satisfaction of the government that the Africans were *emigrants* to the Banda Oriental.

"They were subsequently landed there, marched on to the Brazilian possessions, and sold into slavery, the government having to pay for the detention of the vessel and officers' wages. So impossible is it to detect them, and so deeply interested are many of the merchants there in their success, that the traffic is pursued without a blush. Fast sailing vessels, built expressly for the slave trade, and mounting guns for their defence, are weekly and daily clearing at Bahia, and crossing the ocean under the flag of Donna Maria."

Anthracite ashes are said to be an excellent manure. They have hitherto been scattered to the winds—to the great annoyance of individuals, but will hereafter be kept.

The *Independence* 74 was recently taken into the dry dock at Charlestown, to receive repairs. She is the first ship of the line that has entered that dock; and the operation fully realized the hopes of its friends.

A great sale. A parcel of land belonging to Samuel Jackson's estate, in Brooklyn, L. I. was lately sold for the enormous sum of *five hundred and seventy thousand dollars*. Until very lately, the seventy thousand would probably have purchased it.

Census of the state of New York. A new census of this state is about to be taken under the direction of the local authorities. The returns are to embrace the number of persons entitled to vote—the number of foreigners not naturalized—the number of colored persons entitled to vote—the number not entitled to vote—the number of marriages the preceding year—the births and deaths—number of acres of improved land, of neat cattle, horses, sheep, hogs—number of yards of cloth of all kind made in families—do. made in factories—number of factories, grist mills, saw mills, oil mills, fulling mills, carding machines, iron works, trip hammers, distilleries, asheries, glass, rope, chain cable, oil cloth, and dyeing and printing factories, clover mills, paper mills, tanneries and breweries—the quantity and kind of raw materials, and their value—and the value of the manufactured articles. There are also to be returned the number of deaf and dumb persons, of the blind, of lunatics, idiots and paupers.

[We hope that this example of New York will be followed in other states. What a body of facts, interesting and important to a sound legislation' would be thereby collected!]

Life of Samuel Slater. George S. White, esq. is preparing for the press, a life of the late *Samuel Slater*, of Rhode Island, the first manufacturer of cotton cloth in America. The efforts and enterprise of Mr. Slater were sufficient to confer on him the character of a great benefactor of the country. The following is a letter from Mr. *Clay* to the biographer of Mr. Slater:—

Ashland, 4th July, 1835.

Sir: I received your letter transmitting a copy of your prospectus for the publication of a memoir of the late Mr. Samuel Slater. I have been highly interested by what I have heard, from time to time, of his early and successful exertions to introduce the cotton manufacture in the United States; and I have now in my possession some cotton yarn spun by the first spindles which he put up, which I was informed were the first used in the United States.

Without being able to contribute to the accomplishment of your undertaking, I shall be glad to hear of its successful execution. The names of FULTON, EVANS, WHITNEY and SLATER, should ever live in the grateful recollection of the people of the United States. With great respect, I am your obedient servant, H. CLAY.

George S. White, esq.

Portland and Quebec rail road. The plan of a rail road between Portland and Quebec seems to be growing so much in favor, as well in Canada as in Maine, as to induce the belief that it will be certainly and speedily carried into effect. We find the following paragraph relating to it in the Portland Advertiser:

"Albert Smith, esq. one of the agents appointed by the state to visit Canada, has just returned, and speaks in an encouraging manner of the spirit prevailing there in regard to the proposed rail road. He has politely furnished us with the Quebec Gazette of the 20th, containing the proceedings of a public meeting holden on that day. The Gazette observes that "the meeting was very numerously attended, and exerted a spirit which cannot but result in success. Messrs. Green and Smith, the Maine agents, were present, and in a very appropriate speech the latter gentleman said he expressed the universal opinion in Maine, that if the railway was practicable, it would be immensely advantageous to both Maine and Canada. The committee formed meet to-morrow at noon in the exchange building in execution of the resolves."

Coal in England. The amount of coal annually furnished by the coal mines of Great Britain is immense. It is stated that, independent of all that is conveyed from the inland coal districts by canals, and independently of all that is consumed by the thousands of manufactories which are congregated in the neighborhood of inland mines, no less than 5,822,561 tons were shipped coastways in 1834, whilst 615,255 tons were exported in the same year to foreign countries, principally to Holland, Guernsey and Jersey, America, the West Indies, France, Germany, Denmark, Italy and Portugal.

Notwithstanding the prodigious quantity of English coal used at home and abroad, the mines are believed to be inexhaustible.

A lot of cotton, consisting of six thousand bales, changed hands, at New York, on the 16th ult. This, it is believed, is the largest single transaction ever recorded in the annals of cotton operations.

Population of Spain. The following particulars of the population of Spain are copied from Marshall's statistical tables. Population of Spain, in 1799, 10,351,075; 1825, 12,953,959; increase 38 per cent. Population of the Basque provinces—Biscay, 144,875; Guipuscoa, 135,838; Alava, 92,807; Navarre, 288,244—total, 661,764. Of the kingdom of Arragon, 856,216; Catalonia, 1,116,461, the Castiles, 1,580,140. The whole of the insurgent provinces bear thus a proportion of only one-sixth of the amount of the neighboring provinces.

Literature in the South seas! A newspaper has been established at Honolulu, the metropolis of the Sandwich Island empire, by the rev. Mr. Tinker, a missionary who went thither some five years since. The New Bedford Mercury states that the island of Oahu, upon which Honolulu is situated, contains 520 square miles and 20,000 inhabitants, although only the third in the group in point of size and population. The king and court, the foreign ministers, and 12 or 14 merchants reside at Honolulu, which contains a population of about 7,000. Three printing presses, under the care of Mr. Bingham, are constantly employed at this place. Schools are established throughout the islands, in which 50,000 pupils receive instruction. The entire population of the group is estimated at 180,000. A new alphabet has been invented for the natives comprising only twelve letters—five vowels and seven consonants—which are without doubt abundantly sufficient for a language which appears to be spoken by the throat and lips only, without any aid from the teeth or tongue. It is all ee oo-ya ya-oo ee oo ee. As their wants multiply, through the progress of civilization, they will probably resort to new sounds, and new fashions of articulation. We should like amazingly to see a copy of Mr. Tinker's Oahu Pacificator, if it be so named. [*Nantucket Inq.*

A curiosity. We have in our possession an Indian tomahawk, or hatchet, of very rude construction, which was taken a few days since from the heart of a white oak saw log, nearly two and a half feet in diameter, and the grains from where it was deposited to the outside of the log numbered 182. The distance in which it was deposited from the bottom of the tree was such as to lead to the supposition that it might have been hung in the crotch of a sapling, which, as it grew up, closed around it, and imbedded it within the trunk, and probably the lapse of time is not less than two hundred years since it was there left. There is every reason to suppose its owner belonged to one of the warlike tribes of Indians who inhabited this section of country at least two centuries ago, as there are numerous indications in this town of fortifications upon which trees of about the above size are now growing.

The instrument was found while in the act of sawing the log at the mill of Solon Hall, esq. of La Grange, in this county. The saw penetrated the iron about half an inch before the mill could be stopped, entirely ruining the saw.

[*Fredonia Censor.*

The steamboat William Gibbons which arrived at New York from Charleston, on the 29th ult. brought about two hundred passengers. Any packet to or from Europe would be thankful to earn as large a freight. The steamboat arrangement to Charleston is one of great public utility, and we are happy to see it so abundantly rewarded.

Rich and poor. The following excellent remarks on the comparative enjoyments and sufferings of rich and poor, by the rev. Dr. *Channing*, cannot but be duly appreciated by all who read them:

"When I compare together different classes as existing at this moment in the civilized world, I cannot think the difference between the rich and the poor, in regard to mere physical suffering, so great as is sometimes imagined. That some of the indigent among us die of scanty food is undoubtedly true; but vastly more in this community die from eating too much than from eating too little; vastly more from excess than starvation. So as to clothing, many shiver from want of defences against the cold; but there is vastly more suffering among the rich from absurd and criminal modes of dress which fashion has sanctioned, than among the poor from deficiency of raiment. Our daughters are oftener brought to the grave by their rich attire, than our beggars by their nakedness. So the poor are

often overworked, but they suffer less than many among the rich who have no work to do, no interesting object to fill up life, to satisfy the infinite cravings of man for action. According to our present mode of education, how many of our daughters are victims of *ennui*, a misery unknown to the poor, and more intolerable than the weariness of excessive toil! The idle young man, spending the day in exhibiting his person in the street, ought not to excite the envy of the over tasked poor, and this cumberer of the ground is found exclusively among the rich."

British museum. By an account just laid on the table of the house of commons, the expense of that establishment amounted last year to £18,577, including salaries, purchase of books, binding, &c. &c. The estimated expense for the next year is £19,218. The number of persons admitted to see the museum was, in 1829, 68,101; in 1834, it was 237,366. The number of visits to the reading room, for the purposes of study or research was, in 1810, about 1,950; in 1834 it was 70,266. The number of visits of artists and students was, in 1834, 4,938; in 1833, 5,645. It must be gratifying to all lovers of education and improvement to see the vast increase of persons who visit this national establishment both for amusement and for study.

Providence rail road. The viaduct at Canton is completed. The car passed over the whole line for the first time on Tuesday afternoon last week, in 1 hour and 43 minutes. The same train returned with the passengers which left in the Lexington on the morning of the same day, and arrived at Boston at a quarter before 11 o'clock.

A late traveller to Vesuvius, in describing the recent eruption, appropriately alludes to the ancient cities of Herculaneum and Pompeii, which were overwhelmed by this volcano some twenty centuries since. Herculaneum was encased in lava, which makes the excavation very tedious and expensive; but Pompeii was covered only with a mass of loose ashes and pumice stone, and is therefore now nearly all exposed to easy digging. He thus speaks of its wonders:

"We saw one house which the workmen had just uncovered; the *frescoes* on the walls looked as fresh as if done the day before, and are very little injured by the fire. There are the streets with the same pavements, causways, and stepping stones; the baker's ovens, in which bread was found; the shops with signs over the doors, marks of the carriage wheels on the pavement, magnificent public baths, theatres, temples and palaces; in short, all the evident proofs of a populous and flourishing city." [*N. Y. Star.*

Natural phenomenon. Vesuvius remained tranquil after the eruption of August; having then thrown out grey and red cinders similar to those of 1822; but about the middle of February, flames and small pieces of lava were thrown from the bottom of the crater, which is considerably less deep and smaller in circumference than that of 1828. This new crater, which by degrees is filling up, and is now near the top of the ridge, threatens an overthrow, and sooner or later must fall. At Marsala, on the southern coast of Sicily, on a serene day there appeared in the sky a small black cloud; which gradually extending, at last disgorged itself in a shower of stones, which broke the slates and roofs of the houses. [*Letter from Naples.*

The *Rodney* (Miss.) *Telegraph*, gives the following account of "the way they do things in Jefferson county."

Warwick, the murderer of Mr. Fisk, an aged man, both inoffensive and harmless, was tried this week at Fayette. On account of some technicalities of the law failing to be observed, the prisoner was discharged. He had no sooner, however, emerged from the court house, than he was stripped of his clothing, and a plentiful coat of *tar* and *feathers* applied to him. He was afterwards whipped until almost insensible to pain; and to restore his feeling senses, we understand, a large quantity of spirits of turpentine was poured upon him. In this situation he was mounted upon a rail, and carried through the streets of the town, amid the shouts of the multitude. It is said that during the execution of judge Lynch's sentence, the culprit frequently begged to be shot, but was told that such a death was too easy for him. When the vengeance of the multitude had been fully reeked upon him, he was furnished with money sufficient to carry him beyond the limits of the state with the injunction that in five hours from the time of his release he must be beyond the reach of those who were again ready to repeat the dose he had already received.

IMPROVEMENTS, &c.

An enterprising New Englander, near Fall river, purchased 20 years since 115 acres of land in Louisville, Ky. for $675, and for which he is now offered $275,000.

The distance from Detroit to Chicago, by way of the lakes, is 700 miles; by land only 250. From Detroit to St. Joseph's, by way of the lakes is about 675 miles; by the route of the rail road only 195 miles.

The amount received from passengers at the Pontchartrain rail road on the 4th, was fifteen hundred and forty-four dollars. [*New Orleans True American.*

There is travelling, twice a-day, on the Baltimore and Washington rail road to a point about a mile beyond Bladensburg. It will be for the whole distance very speedily. The *time* will be about two hours.

The tolls on the Louisville and Portland canal for the past six months, ending July 3rd, amounted to.....$41,158 54
In the corresponding period of 1834.....31,530 14

$9,628 40

Semi-annual dividend 4 per cent.

The following statement, from the Western Hemisphere, of the amount of tolls collected upon the Ohio canal, during the month of June, 1835, exhibits the amount of business done upon this channel the present season in contrast with that which was transacted during the corresponding month of the last year.

	June, 1834.	June, 1835.
Cleveland	6,493 92 0	7,853 11 0
Akron	462 42 0	773 66 0
Massillon	1,296 73 5	3,013 93 3
Dover	941 54 5	1,971 61 0
Roscoe	818 77 5	2,369 63 2
Newark	5,367 47 2	4,173 96 5
Columbus	966 62 0	428 46 0
Circleville	750 31 6	1,084 85 8
Chillicothe	703 99 4	1,650 14 1
Portsmouth	1,975 56 2	5,836 18 2
	$19,777 35 9	$26,135 55 3

It is stated that the Fire Fly locomotive performed a trip from Ballston to Schenectady and back again, in one hour and three minutes. Distance *thirty-one miles!*

The weigh-locks on the New York canals have been sufficiently tested to shew their general accuracy.

A large paper mill, which makes from one to two hundred reams of paper per day, is in operation at New Orleans.

There are several large cotton mills near Petersburg, Virginia, and others at Lynchburg, &c. One of them contains 4,000 spindles, and 170 looms. Another, we believe is still larger.

A paragraph in a late number of the Louisville (Ky.) Advertiser, shews in a striking light the rapid growth of that city. We learn from that paper, that the population of Louisville was, in 1810, 4,012, in 1830, it was 10,336; and in 1835, it was found to be 18,966—thus having increased upwards of eight thousand five hundred, or in other words, nearly doubled its population, within the short period of five years.

In the town of Newport are two steam cotton factories now in operation, and another is immediately to be built upon a large scale, being two hundred feet long by forty wide. Those engaged in these enterprises say they have by practice demonstrated that it is cheaper to use steam power in the midst of a dense population, than to use water power, which often makes it necessary not only to build a factory but a town also. There is transportation, and various other items, which come into the account on one side or the other.

The productiveness of canals through which coal seeks a passage to market, is strikingly illustrated in the following paragraph, extracted from Poulson's Philadelphia Advertiser.

"By the returns of the lock keepers on the Schuylkill canal, it appears that $141,838 21 have been received in 87 days, ending on the 12th June. When it is considered that the larger portion of this sum has been derived from the valley of the Schuylkill, extending only about 100 miles into the interior, and draining the resources of a part of but one coal region, we cannot hesitate in believing that the prospects of the company are beyond any calculation that has yet been made. The remaining part of the season which has hitherto been the most productive, must at leat produce $350,000, which with the income for water rent, cannot make less than $500,000 this year. This amount will be an excess over last year's business of about $186,489, and, as the expenses have not materially increased, the managers must give at least to the stockholders 20 per cent. upon the capital."

The stock of the Schuylkill canal company has been for some time past at an advance of two hundred per cent. and with this prospect in view, we should not be surprised to see it go much higher.

A machine for stiffening hat bodies has been invented at Newark, N. J. by the aid of which one man can do as much as five in the ordinary way. A great saving is also gained in the materials used in the process.

Rail road from Paris to Havre. In the chamber of deputies on the 3d April, the minister of the interior presented a bill for this purpose. Government proposed to open the projected undertaking to public competition. It was calculated that the road, which was to pass Dieppe, would be 58 leagues in a direct line, and 74 including the branch roads. The expense was estimated at 60 million francs. It was proposed that the state should take shares in the undertaking in the profit of one-fifth of the whole amount and on the same conditions as the public. In the event of the plan turning out profitably, the capital would then be employed on some other useful undertaking, or the tariffs might be lowered one-fifth or one-fourth. [*New York Star.*

There is a great want of wagons for the trade from Wheeling to Baltimore, even at the present season. This will be remedied, after a while.

Anthracite coal is used by Mr. Francis C. Treadwell, of New York, as the fuel for four ovens in his bakery. The saving is said to be equal to 50 per cent. compared with wood. The New York Gazette says—Next to the application of steam to navigation, is the discovery of, and the various uses to which the anthracite coal is applied. It may well be asked, "where is there an American who does not feel proud and grateful to Providence for the numerous advantages which he enjoys over all other nations of the earth?" Let us then be watchful of our rulers, and careful whom we choose to wield the destines of this great and hitherto prosperous republic.

It is stated that the inclined plane, on the Columbia rail road, is about to be dispensed with—and so will those on the Baltimore and Ohio.

The Martinsburg, (Va.) Gazette, says—A gentleman of this place, left here about one o'clock on Thursday morning last for Baltimore, and after being detained several hours on the way, arrived in the city at 1 o'clock P. M. He transacted his business during the same evening, and the next morning took the car, and after being again detained by the breaking and repairing of an axle-tree, arrived in Martinsburg before 7 o'clock on Friday evening, having performed a journey of upwards of two hundred miles, sixteen miles of which—going to Harper's Ferry—was on horseback, in less than twenty-five hours. Formerly the same journey could not be made in less than five days.

Some of the eastern towns are increasing with as much rapidity as those in the west. A census has just been taken of the town of Worcester, Mass. and the number of its inhabitants is ascertained to be 6,624. The number in 1830, was 4,172. Gain in five years, 2,452, being an increase of *more than fifty-eight per centum.*

Philadelphia and Trenton rail road. The increase of travel on this road, since its completion in July last, has been very great. The Philadelphia Herald says that during the week ending Friday last, there were twenty-seven hundred and twenty-three passengers carried upon this road. A survey of the straight turnpike between Trenton and New Brunswick has just been completed previous to the commencement of grading and laying down the rails, in order to complete the chain of communication to New York. From New Brunswick to Newark, the road will be completed in all this year, and from Newark to Jersey City, it is now completed, and 2,500 passengers were carried on it last week. Within fifteen months from this time, passengers will probably be conveyed by this route between Philadelphia and New York, in four hours and a half. A large depot, 60 by 90 feet, is now building by the Philadelphia and Trenton rail road company, at the corner of Front and Harrison streets, Kensington.

Extensive carriage manufactory. The most extensive manufactory of carriages in the United States, is at Amherst, Mass. The establishment is owned by Messrs. Knowles & Thayer. It gives constant employment to nearly one hundred hands, and turns out work to the amount of $100,000 per year. Coaches, barouches, landeaus, chariots, carryalls, gigs, Stanhôpes and fancy vehicles of any and every pattern or design, are built in this establishment, of the most perfect workmanship. Every person employed has his particular branch of business, and no one person works at two. Every part of the carriage is portioned out to separate workmen, who confine their skill to one operation, and the whole system is so perfect, that the proprietors can tell, to a cent, the exact cost of every vehicle they manufacture. The harness proper for each vehicle is also manufactured by them, and there is nothing pertaining to a carriage of any description, that their establishment does not supply, but the horses. The hands who are not employed by the piece, or job, are employed by the *hour*. The different kinds of carriage bodies are each made by different hands, and even the coats of paint and varnish that cover the bodies, are laid on by different persons. All kinds of springs are manufactured there; all the wheels and axletrees are made there; and all the ironing and plating, all the trimming and ornamenting is done there—indeed there is nothing for which they are dependent upon extraneous assistance. The oak, walnut and ash they consume, grows almost at their door, and is of the finest quality that can be found in the country. Their establishment is one of the most interesting we ever visited. They sold in Boston last year, 110 carriages, and they have orders from all parts of the union. We saw three elegant carriages building, to go one to Florida, one to New Orleans and one to Mexico. They have made carriages for ex-president Adams, president Jackson, Mr. Van Buren, Mr. Woodbury, Mr. McLean, gen. Macomb, and about forty members of congress and the departments, and they have an order from *Paris*. But the most splendid affair of the vehicular kind ever built in America, is a coach they have now in hand for the honorable Mr. Bell, of Tennessee, speaker of the United States house of representatives. It is utterly impossible to put any more work upon it, without substituting gold and silver for brass and plate; it will cost $1,800. Mr. Van Buren's cost $1,400, and president Jackson has a barouche from their establishment, which cost the same money.

Harrisburgh canal. This canal is intended to water the borough of Harrisburgh, and also to supply power for manufacturing purposes. The water is to be taken out of the Susquehannah, four or five miles above the town. The canal, if sixty feet wide, is estimated, by the engineer, to cost $160,000. If 50 feet wide, is estimated to cost $100,000. The canal will produce a water power at Harrisburgh of 16 or 17 feet. The engineer estimates, that a canal 30 feet wide, will produce 250 horse power for driving machinery, besides supplying Harrisburgh with water.

A paper, containing remarks on the Liverpool railway, was read in February last, to the Society of Arts for Scotland, by Mr. David Stevenson. As this paper contains some curious information, we select a few particulars for the gratification of our readers.

The main line of the railway is 30 miles long, and is estimated to have cost a million pounds sterling. It consists of double tracks, but most of the branches from it of single tracks. Connected with it are three tunnels and sixty three bridges. The expense of repairs, during the last year, was at the rate of £200 per mile.

There are three kinds of carriages at present used on the railway, called, respectively, train, baggage and bank engines. The train engines are about 30 horses power, and weigh 8 tons; the luggage are 35 horses power, and weigh 9 tons; and the bank 50 horses power, and weigh 12 tons. The latter are used for assisting the others up two inclined planes, where the inclination is a foot perpendicular in 96 feet horizontal. Some of the carriages have four, some six wheels, none of which exceed 5 feet in diameter, a greater size having been found inconvenient, from the increased liability of the carriages to start off the tracks. The common rate at which they are propelled, when conveying passengers, is 25 miles per hour; but on one occasion the distance between Liverpool and Manchester was passed in 45 minutes, being at the rate of 40 miles per hour! and on level ground an engine without a load, has been propelled at the rate of 60 miles! It should seem, however, that even 25 miles in the hour is too fast for profit, as the wear and tear on the Liverpool road is much greater than on the Stockton road, where the usual speed is only 8 miles. It is remarkable that the keeping of the engines in repair furnishes employment for 200 workmen, and yet one of the engines ran 50,000 miles without requiring to be taken to the shed for that purpose.

About 1,020 passengers, and 640 tons of goods are transported daily along the line; but as the whole is at present done in the day, the traffic can be increased, if necessary, by making use of the night; so that without any additional outlay of capital, the profits of the company may be greatly augmented.

[*Baltimore Gazette.*

American ingenuity. From the Cincinnati Republican, we gather the following particulars of a new quadrant, invented by a gentleman there for Mr. Clayton, to ascertain the velocity of his balloon in his ascension, which took place the 4th.

"Dr. Lock has invented and made for Mr. Clayton a quadrant, by means of which he can ascertain his velocity in the high regions of the air. The instrument plumbs itself by a weight, and has three pair of fixed sights. The first pair range perpendicularly; the second to 40 degrees from a perpendicular; the third to 63½ degrees. These three lines, projected from the balloon, will strike the earth at points including two distances, each equal to its altitude, which is known by the barometer. An object noticed in advance of the balloon, will first come in the range of the line of 63½ degrees, and lastly in that of the perpendicular. The instrument may then be reverted, and the same object noticed by the watch. The velocity over a distance equal to four altitudes is at once obtained, without any calculation. This is more simple and exact than the reckoning by casting the log at sea.

"Dr. L. has also prepared for him a phosphoric lamp, without fire, by which this instrument can be read in the night. Our enterprising æronaut, thus furnished with the barometer, watch compass, chart, quadrant or motometer and lamp, will be enabled, by his reckoning, to know what part of the country he may at any time be traversing, and may be trusted on his trackless journey with less anxiety than we previously suffered on his account."

Vast emigration. It is truly remarked by the Erie (Pa.) Gazette, that no one who does not witness it, can have any just idea of the "immense and interminable throng of people" who are wending their way, by the route of Lake Erie, to the west. The steamboats and schooners plying between the various ports on the lake, are represented to be constantly crowded. And the estimate is hazarded, that more than 200,000 settlers will go west during the present season, and take up their abiding places on the fertile lands which border upon the great lakes and their tributary streams. Such indeed is, and must be, the vast increase of population in the lake country and in the Ohio and Mississippi vallies, that all the outlets, projected or in progress, to the markets of the seaboard, must, in a very short time, comparatively speaking, have more than enough to do. There is no just or reasonable cause for jealousy, among the cities of the Atlantic, in striving for their proper share of this traffic. With a just regard to the several advantages of location, and an adequate improvement of its ways, and becoming energy in the adaptation of the means to that end, there is not one of our principal cities which will not receive a rich and overflowing measure of this western trade.

American flannels. The great difficulty in regard to American flannels, is their liability to shrink. The texture of the fa-

bric—the fineness and evenness of its thread—have long been as good as need be desired; but its shrinking tendency has induced good house-wives to shrink from purchasing it. We are gratified at being able to state, however, that the evil has been obviated. And nearly all the flannel now used in the United States, is of American manufacture.

FOREIGN NEWS.

From London papers of July 1.

The commander of the Carlist forces in Spain, gen. *Zumalacarregui*, is dead—from a wound received at the seige of Bilboa. He was a very able soldier—resolute, yet cautious; and it was thought that his death would materially affect the cause of Carlos.

The first battalion of British volunteer forces for the service of the queen of Spain, under command of col. Chichester, embarked on the 30th June, on board the Monarch steamboat for the Spanish coast.

Charles Matthews, the comedian, died at Davenport June 27th.

His highness Hussan Pacha, bey of Tunis, died on the 20th of June.

The Carlists have about 16,000 men at Bilboa, and in its immediate neighborhood, under the command of Eraso.

A lively little debate took place in the British house of commons between lord Mahon, lord Palmerston and col. Evans—on a motion made by the former as to the enlistments for Spain, which was entirely approved by the second, and warmly replied to by the third, who is to command the auxiliaries. Col. E. said that 10,000 men would be abundantly sufficient to accomplish the tranquility of Spain.

A SPLENDID DESCRIPTION OF THE ALPS.

Much as we talk of nature, there are places where we feel that our previous conceptions have been dim and narrow. He, who crosses the Alps, will experience this sensation, mingled with a certainty, that thousands of painters and poets, and millions of others, live and die without even suspecting the power of scenery over the mind. Our journey across the Splugen was, to us, a day memorable for ever. Our recollections are of grandeur—gloomy vastness—awful solitude—eternal sublimity. There were moments, during the ascent, of a kind strange and new to me. Whoever seeks "something new under the sun." if he has dwelt on a plain, let him ascend a *veritable mountain*, and he will find it. Awe, amazement, gloom, wonder and *rapture*, during which you cannot smile, combine to elevate you. The road winds up, and up, and up—a mad stream, white with foam, thundering all day by its side—amid slopes and cliffs, forests and vales—then a plain and a poor hut, or a ragged town and some beggars. You pause and rest; and then, again, up and up—winding and turning—sometimes through tremendous ravines—sometimes by magnificent waterfalls—sometimes along giddy and yawning gulfs—yet still, always up and up.

Then the face of the earth changes, and the grass fades nearly away, and the naked, everlasting rocks lift their gray backs through the soil. The tempests of six thousand years have beaten against them. Now, the road steals through a desert of endless stones, broken and scattered about—now through a long dark gallery, wet and dripping—now at the brink of a tremendous precipice, which your imagination would receive as the summit of any mountain; but, anon, the toiling, panting, sweating horses drag you around an angle of rock; and lo! above you overhang other cliffs and other mountains in the sky; piles, swells and pyramids of snow and ice; and, so near their awful heights as to *startle* you, the white line runs yet higher and higher, and you believe not that it is your path still so far above you—and yet it is.

The earth is now totally changed, and the temperature, and atmosphere, and heavens are changed. You wrap your heavy cloak around you in the biting cold. Dark clouds are rolling gloomily over your path, and the white snow shines beneath you, and the winter wind shakes violently the closed glasses of your carriage; and, as the road, still mounting and bending up and up, turns your face now to the right—now to the left—you catch, far below, such awful gleamings of sublime scenery—such dim, wild depths of azure—such forms of cold blue, lifted and built up around you in the eternal silence, and shrouded in the mist and storm, that your very soul is hushed and chilled, and you feel as if death, the king of terrors, had here fixed his home; and, were a *spectre* to stand in your path, or to lean and beckon to you from his car of rolling mist, you would behold him without starting, for your imagination can scarcely be more excited. A cataract, which, on the plain, would draw all Europe to it as a fashionable resort, is here no curiosity. Its lonely thunder swells and dies away in the interminable solitude. Twenty times we thought ourselves at the height of this stupendous road, and yet its zig-zag course appeared ever mounting far before us, up and up, till the cold grew extreme, and the darkness of night overlooked us; and we were completely lost and enveloped in heavy, wet clouds, rolling around us like a mighty ocean. [*Fay's Sketches.*

SOUTH AMERICA.

It is a remarkable thing, that the whole of the water found in the Pampas is brackish; and in hot weather it is most annoying, for drinking it only serves to increase the thirst of the traveller; but it is not unhealthy, and most probably it is the contrary in its effects on the Gauchos, who pass entire months without any other nourishment than beef newly killed, without any salt to it, which, like bread, is considered a luxury on the Pampas. When rain has failed for a long period together, many spots become uninhabitable, and the settlers are obliged to remove; the lakes gradually dry up, and a growth of rushes overspreads their bottoms, serving as lairs for the pumas, who lie in wait for the cattle, that, perishing with thirst, with mournful lowing seek the remnants of green stagnant water which lie on the marly surface, thick as refuse oil, and swarming with myriads of musquitoes. Yet it has ere now been to the writer a sensation of extreme pleasure to dismount from a jaded horse, with his rude companions, and, taking the handkerchiefs which shaded our heads from the scorching sun, to spread them on the surface of such a gilded puddle, scarce an inch in depth, and thus suck away the moisture, while the whizzing insects buzzed around, as if in anger at our thus drying up their fishing waters. As the water becomes gradually more scanty, the rushes wither—the dry pasture catches fire from the smouldering horse dung, left burning by some chance traveller; the flame sweeps along, and, fading as fast as it advances, resembles a fiery knife edge mowing the wide plains. As it passes by, the rushy oases are kindled, and fierce flashes mount upwards with each breath of air, like the blasts of a volcano. The wild animals rush forth before the destroyer, and seek for a bare spot or the intersecting line of a stream, which may afford them shelter. But it is a fearful race for life or death, for the flying flame over the parched level mocks the speed of the swiftest horses of the plains. On some occasions a caravan of the straw thatched wagons of the interior provinces is overtaken, and wagons, oxen and drivers perish together. We once beheld four drivers still living, who had thus been roasted alive. They had been laid in a shed, with their burnt garments shrivelled into cinders on their skinless bodies, to live or to die, according as the vital energy might conquer or succumb, for there was no help or medical skill to avail them. [*London Review.*

WASHINGTON MONUMENT SOCIETY.

The presidency of the *Washington National Monument society* having become vacant by the lamented decease of chief justice MARSHALL, ex-president *Madison* was unanimously elected to fill the vacant office. The following is his beautiful and appropriate reply to the letter of judge *Cranch*, (first vice president of the society), announcing his election.

Montpelier, July 25, 1835.

DEAR SIR: I have received your letter of the 20th, informing me "that I have been unanimously elected president of the Washington National Monument society in the place of its late lamented president, chief justice Marshall."

I am very sensible of the distinction conferred by the relations in which the society has placed me; and feeling, like my illustrious predecessor, a deep interest in the object of the association, I cannot withhold, as an evidence of it, the acceptance of the appointment; though aware that in my actual condition it cannot be more than honorary, and that, under no circumstances, it could supply the loss which the society has sustained.

A monument, worthy the memory of WASHINGTON, reared by the means proposed, will commemorate, at the same time, a virtue, a patriotism and a gratitude truly national, with which the friends of liberty, every where, will sympathise, and of which our country may always be proud.

I tender to the society the acknowledgments due from me, and to yourself the assurance of my high and cordial esteem.

JAMES MADISON.

William Cranch, esq. 1st vice president of the Washington National Monument society.

The *National Intelligencer* adds—

"The noblest monument that has been erected in modern times was to the memory of one of the greatest patriots that ever lived—KOSCIUSKO. He was buried at Cracow, in his native land, and the Polish nation, who appreciated his worth, and his glorious struggles in opposition to tyranny, resolved to erect a monument to his memory, which should withstand the assaults of the elements, and even of time itself.

"This monument was in the shape of a mound, raised on an eminence, which commands a view of the Vistula. At this work, the aged and the young, the rich and the poor, the nobleman and the serf, even ladies, reared in the halls of wealth and luxury, labored with their own hands. Every one was anxious to pay this tribute of their respect to the memory of "the great Naczelnic." It was commenced in October 1820, and finished in 3 years. It is known by the name of *Mogila Kosciuskio*, (Kosciusko's mount), and measures 276 feet in diameter at the base, and 300 feet in height, and is the most stupendous work ever performed by human hands."

Honorable indeed to the spirit of the people of Poland was this tribute of respect for the memory of the noble defender of their liberties, and the more so from the manner in which it was rendered. The people of the United States are invited to pay a similar homage to the memory of the defender of their liberties. Was a deeper debt due by them to *Kosciusko*, than by us to *Washington?* Or shall Polish gratitude outstrip that of America?

OHIO AND MICHIGAN.

RENEWED HOSTILITIES

Upon the disputed ground, and unparalleled outrages upon the citizens of Toledo, by the Michigan authorities. From the Toledo Gazette extra, of July 20.

We have barely type and materials enough saved from the outrages we are about to relate, to lay the following facts before the public.

On Saturday last, a large body of armed men, headed by the sheriff of Monroe county, Michigan territory, was raised by order of the acting governor (Mason) of the territory, and proceeded to this place, for the *ostensible* purpose of serving some civil processes upon a number of our citizens. They arrived on Saturday, about five o'clock in the afternoon, in number about two hundred and fifty, regularly armed and equipped with muskets and bayonets, and after arresting and making prisoners some seven or eight individuals, among whom are Benjamin F. Stickney and George McKay, esqs. they proceeded to the printing office of the Toledo Gazette and forthwith commenced an attack upon the press; as there was no person in the office at the time, and the door was locked, they effected an entrance by splitting down the door, and then commenced demolishing the press and materials. Much damage was done, and as the standing matter was pretty much all broke down, and the type thrown into confusion, it will take some weeks to so far repair the damage as to issue another paper.

They met with no resistance from the citizens of Toledo, as they were too strong, and too well armed to make any interference on their part, unarmed and unprotected as they were, of any avail. Besides, a very large number of the citizens, who, from the independence with which they had always expressed their opinions, had become obnoxious to the Michigan authorities, and against whom processes had been issued by the Michigan courts, had withdrawn from the town to avoid the disastrous effects of a collision between the armed posse and the people, which they had reason to apprehend would ensue, should an attempt be made to use any violence towards them. After committing various outrages upon several unoffending citizens, insulting the women and arresting such of the men in town as were at all obnoxious to them, the mob, or posse, withdrew to Monroe with their prisoners, where they were, upon the order of the acting governor, immediately thrown into prison.

The whole proceedings were directed and urged on by the acting governor of the territory, who had gone to Monroe for that express purpose. In these proceedings he was backed up by the leading men of Monroe and Detroit, aided by the counsel and advice of his worthy lieutenants, Norvel, Wing and Brown, who are always ready to urge on to deeds of rashness the hot-headed and peurile baby who presides over the destinies of the territory.

The orders given to this armed mob, or posse, were, according to the statements of its leaders, to proceed to Toledo, and take as prisoners all who were in any manner implicated in opposing the jurisdiction of the territory, and in case any resistance was made, to immediately *burn and destroy the town*, and to *fire* upon the first man who should attempt to oppose them; and judging from what we saw of the materials that composed this band of desperadoes, we should think there was every disposition to obey this order.

The immediate causes that gave rise to these fresh outrages, as near as we can learn them, are these: some few weeks since, a stranger, by the name of Odill, came to this town and put up at a house kept by one Smith, who had associated with him a man by the name of Clark—a notoriously bad character. Odill had a good span of horses, wagon, &c. which it seems excited the cupidity of Clark and Smith, who soon laid a plan to swindle him out of his property. Both Smith and Clark are Michigan men, and have, until recently, been residents of Monroe, from whence they came to this place. At the instance of Clark, and some of the leading men of Monroe, Smith was appointed by the acting governor of Michigan, justice of the peace for Toledo. Several petty suits were brought by Clark against Odill before Smith, and judgment of course was always given for the plaintiff. At length Odill became vexed, and believing that there was a combination between the two to swindle him out of his property, made some remarks which were construed slander by Clark, and immediately another suit was brought before Smith, and judgment given against Odill for one hundred dollars. This took place on Saturday night, and an execution was immediately issued in the night—Odill's horses and property taken, and on Monday morning offered for sale to satisfy this and other judgments held by Clark and Smith!

The citizens of Toledo, having, by this time, become familiar with these several facts, collected in a body, to the number of fifty or a hundred, and demanded of the officer who was about to sell it, a delivery of the property to the owner and to have the whole proceedings stayed, which was complied with. Clark was then required by the citizens to leave the place, and Smith was notified that it would not answer for him any longer to exercise his office. Clark immediately proceeded to Monroe, where, as we have before said, he had lived, and was well known, and got out warrants for all the citizens who had interfered to defeat his rascality. On Wednesday last a small posse of Michigan officers came out, headed by Clark, and undertook to arrest Messrs. George McKay and T. Stickney, and carry them to Monroe to answer to the complaint. These gentlemen refused to go, and declared their intention of defending themselves rather than be again dragged off and abused by a Michigan posse, (having both been arrested and imprisoned once before, on some equally trivial complaint). One of the officers (Wood) seized Stickney and undertook to force him out of the house, when a scuffle ensued, in which Stickney inflicted a wound upon the officer with a dirk knife which he held in his hand, and induced him to relinquish his hold. Clark and Wood, the officer who was wounded, immediately returned to Monroe, where, at the order of the acting governor, the mob or posse was raised that visited this place on Saturday last.

We are aware that in laying these facts before the public the statements we have given will hardly be credited by the American people. But every thing we have said is literally true. The citizens of this place are constantly harrassed, persecuted, arrested and imprisoned, by the Michigan authorities. Their houses are broken open—citizens are seized in the night and dragged off to Michigan prisons. Their females are insulted and abused. Their press is assailed and destroyed, armed desperadoes are kept constantly prowling about their streets, with sheriff's commissions to molest them. Unprincipled and dishonest men are commissioned as officers of justice; the officers and civil authorities of Ohio have either been driven from their homes, or arrested and imprisoned to be tried as criminals, and when the citizens have attempted to defend themselves against worse than Algerine robbery or Turkish persecution, under the covering of law, large bands of armed men have been raised by order of the governor, and sent on to commit further depredations upon their persons and property—and all this for simply claiming their constitutional rights.

The people within the "disputed district," are generally a peaceable, high minded and intelligent class of citizens, who know their rights and have the independence to assert them. They claim to be the citizens of Ohio, and look to her laws and constitution for protection, as well as to the laws and constitution of the United States. The whole history of the difficulties connected with the boundary question, and of their forbearance under them, will prove how deeply they have at heart the honor and welfare of the nation. They have been averse to making their individual wrongs the cause of a civil war, and perhaps of a dissolution of the union. But there is a point, beyond which forbearance ceases to be a virtue, and it is our solemn conviction that that point is passed. The inhabitants upon the "disputed ground" will undoubtedly hereafter resist with whatever force they can command, any farther injuries and indignities, and rely upon the military strength of the state to protect them.

It has been urged by the Michigan authorities that they have possession of the country in dispute, and that by the violent measures they have adopted, they intend to keep it. But they know but little of the feelings of Americans, who suppose that by such measures their laws can be maintained. We appeal to the nation—we appeal to every friend of liberty in our beloved country, to say, if we have not, under the repeated injuries and insults we have received from the authorities of the territory, sufficient cause to reject a jurisdiction, whose only object appears to have been to retain us that they might crush and destroy us. Let not the world suppose that because Michigan is weak and Ohio strong, we have chosen the jurisdiction of the latter, instead of that of the former. All history has shown that petty powers are often petty tyrannies; such has emphatically been the character in which the territorial government of Michigan has exhibited itself to the inhabitants within the "disputed district," and which has led them to claim that protection as citizens of Ohio, which as citizens of the United States they had also a right to demand.

PUBLIC MEETING AT RICHMOND.

From the Richmond Compiler, of July 23.

The meeting at the capitol, yesterday, was the largest we have ever seen, on any occasion, and the feeling of indignation at the impudent interference of the northern abolitionists was general and strong.

A series of resolutions on the subject, were offered by Mr. Robert T. Wicker, but were afterwards withdrawn, and the whole matter is to be submitted to a discreet and able committee. One thing is becoming every day more and more evident—that the misguided men who are meddling with the internal affairs of the south, are but riveting more closely the bonds which they seem so anxious to sever; and that they are weakening the interests and affections which have hitherto cemented our glorious and happy union.

At a meeting of the citizens of Richmond city and Henrico county, held in the capitol on the 24th day of July, 1835, in pursuance of a call in the public prints, to take into consideration the late efforts of the northern abolitionists, to interfere with the domestic concerns of the southern people, as guaranteed to them by the constitution of the United States.

On motion, Dr. John Dove was called to the chair, and Wm. B. Chamberlayne and George W. Dixon, were appointed secretaries.

On motion of Mr. R. G. Scott, the following resolution was unanimously adopted:

Resolved, That a committee of thirteen be appointed by the chair, to consider and report to a future meeting, to be held on Tuesday, the 4th day of August next, what measures it may be proper then to adopt, in regard to the objects of the meeting.

On motion of Mr. Scott, *resolved*, That the chairman be allowed time to appoint the committee; and that he announce

the names of said committee in the daily papers of Monday next.

On motion of Mr. I. A. Goddin, *resolved*, That the chairman be added to the committee.

The meeting then adjourned until the 4th August next.

JOHN DOVE, *chairman*.

W. B. CHAMBERLAYNE, GEORGE W. DIXON, } *secretaries*.

PROCEEDINGS AT NEW ORLEANS.

Agreeably to public notice, an adjourned meeting was held on Wednesday evening at the Arcade in the city of New Orleans, to adopt proper measures relative to the individuals lately ejected from Natchez.

The assembly was composed of eight hundred or one thousand persons.

James W. Breedlove, esq. the collector, was called to the chair, assisted by *John H. Holland*, esq. as vice president, and *H. W. Palfrey*, esq. as secretary.

On motion of *F. W. Lea*, esq.

Resolved, That a committee of five persons be appointed to report to this meeting forthwith, such resolutions as they may deem expedient at the present time.

The following gentlemen were nominated by the chair: *T. G. Hunt*, *S. Thompson*, *W. Bogert*, *P. Laidlaw* and *W. Henderson*. They retired, and after a short time reported the following preamble and resolutions, which were adopted by an overwhelming majority.

Whereas, The security of life, liberty and property, and the maintenance of peace and good order, depend upon a strict observance of the laws and constitution, framed for the government of any society—*and whereas*, provision is made by the laws of this state, for the punishment and prevention of crime and misdemeanors, and especially for the suppression of vagrancy—*and whereas*, a popular condemnation and punishment, without a trial before the ordinary tribunals of justice, and without regard to the rules of law, of any individuals charged with any offences, is a tyrannical assumption of legislative, judicial and executive powers, tending, at once, to the overthrow of constitutional government, and a well regulated liberty, and to the substitution of popular excitement in the stead of law—*and whereas*, the executive officers of the state and of the city have a sufficient force at command to carry into effect the orders they may receive from the magistrates—*and whereas*, the right to a speedy public trial by an impartial jury of the vicinage is wisely, justly and humanely guaranteed to every accused, by the 15th section of the constitution of this state:

Resolved, therefore, That this meeting deems it unconstitutional, illegal, tyrannical, cruel and inexpedient, to adopt or resort to any violent measures against the individuals lately expelled from Natchez.

Resolved, That the citizens composing this meeting will cordially co-operate with the mayor, in any measures he may adopt for the preservation of the public peace and good order.

Major *Hunt* moved to amend the last resolution, by inserting the term "legal" between "any" and "measures"—which motion was adopted by a very large majority.

The preamble and resolutions were then adopted, a few persons only disagreeing.

On motion of *J. H. Holland*, the vice president,

Resolved, That the thanks of this meeting be returned to the committee for their able and judicious report.

This motion was supported by *Randall Hunt*, esq. in an eloquent and dignified address, and unanimously adopted by the meeting.

J. W. BREEDLOVE, *chairman*.

J. H. HOLLAND, *vice president*.

H. W. Palfrey, secretary.

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MOBILE has followed the same course as *New Orleans*, in reprobating illegal violence, and asserting the supremacy of the laws, and their efficiency for the maintenance of peace and order, and the prevention of vagrancy. The following are the resolutions adopted at a meeting of the citizens of Mobile, on the 21st ultimo:

Whereas, There is just reason to apprehend that fugitive gamblers, swindlers, and other profligate individuals, whose shameless vices have caused their expulsion from Vicksburg, Natchez, and other places in that vicinity, may seek refuge from the just indignation and resentment of a society they have so long outraged, and attempt to introduce their vile practices into this peaceful and moral community—

Be it therefore resolved, That the citizens of Mobile disapprove of gaming, and gamesters, and are determined to unite in causing the laws providing for the suppression of gambling to be rigidly enforced in every instance where their violation comes within their knowledge.

Be it further resolved, That the laws of the state and the ordinances of the city, if rigidly enforced, are amply sufficient for the maintenance of the peace and order of this community, and to prevent the ingress from abroad of fugitives, vagrants and offenders.

Be it further resolved, That this meeting will render their prompt and cheerful aid and assistance to the city authorities in suppressing gambling in this city, in preventing the introduction among us of gamesters and vagrants of any description, and in expelling them from the city whenever they may be identified.

GAMBLERS IN THE WEST.

New Orleans, July 13. Steamer Mogul reports that she saw at Natchez, as she passed down, several boats crowded with persons who had been ordered from that place, in consequence of their abandoned character, and also saw, at Ellis' Cliffs, 18 miles below Natchez, one or two flat boats freighted with the same description of persons, but principally females—all bound down the Mississippi. The people of Natchez had driven every suspicious person from a part of their town known as "Natchez under the hill."

July 17. By the steamboat Navarino, which arrived last evening, we learn that the citizens of Vicksburg were about to charter a steamboat to remove the gamblers, who had taken up their residence on Palmyra island—where they intended to convey them our informant did not ascertain.

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The following is published by way of an excuse for the excesses at Vicksburg—

Gentlemen who are in the city from Vicksburg say that the men who were hung there were all notorious gamblers. Under this name are classed a host of desperadoes who belong to the newly settled parts of the country, who are not only cheats at games of chance, but robbers, murderers and felons in all crimes. They have their squads at all the principle points on the western rivers, and carry on crimes of all sorts by system. They have shown themselves too strong for the civil authorities, and have not hesitated to challenge any one who dared to call them to an account. No one's life was safe who interfered with them. The gang at Vicksburg generally numbered about fifty. A state of things had long existed there which had wrought up the feelings of the inhabitants to a high pitch of indignation, accompanied with apprehension. The affray which terminated in the tragedy which has been related, commenced on the 4th of July. One of these villains attempted to take his seat at the public dinner table, but was driven away by a citizen. He then armed himself with a brace of pistols, and came back declaring his determination to shoot the man who had offended him, a declaration which no one doubted he would carry into execution if he had opportunity. The gentlemen present determined no longer to bear the state of things they had so long endured. They organized a military company, and in due time went to work with the design of driving the desperadoes from the town. But the death of their leader gave another current to their resolution, and terribly did they take vengeance. The gang were glad enough to have liberty to take leg bail.

We have among us a gang of desperadoes of the same character, if not part and parcel of the same gang. They are called the Chicester gang, and our citizens know but little of the number of brutal outrages they have committed, or of the insecurity which they impart to our streets, especially to every bye place. They do not hesitate at the commission of any crime to obtain money, or to gratify any of their passions, and when they have no more important objects in view, they knock down peaceable men just for the fun of seeing them tumble over. If ever villains deserved a halter without mercy these villains deserve it.

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The Louisville Advertiser says—

"A large public meeting of the citizens of Natchez was held at the court house on the 10th inst. After its organization by the appointment of Thomas McDannold as chairman, and Fleming Wood as secretary, an address from the citizens of Vicksburg, (forwarded by a special delegation), was read to the meeting, asking the assistance of the people of Natchez in the suppression of gambling, and their co-operation in the expulsion of professional gamblers from the country. Col. James C. Wilkins then introduced several resolutions, requesting the civil authorities to adopt the most rigorous measures for the extirpation of gambling—invoking the citizens to discountenance it, and pledging the members of the meeting to use every legal expedient to crush its alarming and iniquitous practice. They were adopted with great unanimity; and on the motion of Mr. Thomas Armat, it was further resolved, 'that the citizens of Natchez condole with the citizens of Vicksburg in the loss of their beloved fellow citizen, Dr. *Bodley;* and although they look with sorrow to the cause which rendered it necessary to proceed to measures so violent and severe, and to supersede the laws of the land, yet we assure them of our co-operation in all legal measures to obtain the object proposed; and also, that we will support with our services and lives such measures as the civil authorities of Natchez may direct for the suppression of gambling. On motion of Mr. Andrew Brown, a committee was appointed to draft a constitution for the establishment of a society for the suppression of gambling and other vices.

"The people of Natchez have gone to work in the right spirit. They determine to suppress the evil of which they complain, but to do so by carrying the laws into full and complete effect, by discountenancing it by their own example, and by aiding the efforts of the officers of justice. It is in vain that laws are enacted if they are not enforced by the moral sense of the community.

"We learn from a gentleman just from New Orleans, that measures similar to those at Natchez have been adopted by all the towns on the Mississippi. The proceedings at Vicksburg have kindled a spirit throughout the lower country which is breaking forth at every point, and obliging the blackleg fraternity to make their escape with all haste."

From Cincinnati. *Judge Lynch* arrived here yesterday morning, but not having any *immediate* use for his honor's services in this city, (the grogeries being all closed and every thing very quiet), he took lodgings over the river, where, in the course of the afternoon, two men who were gaming, a black and a white, and a third (white) betting upon the black; a quarrel arose about *twelve and a half cents*, when one of the whites struck the other and killed him. The highly respectable, and justly incensed, citizens of Covington, after securing the murderer and committing him to prison, assembled and tore down the house, which was of little value, and out of the town, but was well known as a rendezvous for infamous characters of all descriptions; they then returned peaceably to their homes.

The mayor of Cincinnati has issued the following

PROCLAMATION.

Whereas great excitement prevails among the citizens, produced by the presence of a number of persons called *gamblers*, whose offensive pursuits, it is said, have caused their expulsion from other places:

And, whereas, it is known to me, that strong and violent measures are contemplated and recommended to the citizens, for the purpose of compelling these persons immediately to leave the city:

Now, therefore, be it known, that to attain the end proposed, the city council have, by a resolution, authorised me to call to the aid of the police, one hundred effective men, in addition to which I am authorised to say, that FIVE HUNDRED CITIZENS stand ready at any moment to render personal aid to the authorities of the city, in support of such measures, as may be deemed necessary to protect the inhabitants from lawless depredations of all kinds. The high sheriff of the county will co-operate with the city authorities in carrying these measures into effect.

These arrangements enable me to assure the citizens, that the police are fully competent to effect the object in view, and that a resort to violence, by well intended assemblages of the inhabitants, is entirely unnecessary, and may lead to consequences hereafter greatly to be deprecated.

Given under my hand and seal of said city, this 23d July, 1835. SAMUEL W. DAVIES, *mayor.*

Mayor's office, Cincinnati, July 24, 1835.

A communication was received yesterday through the post office, naming several houses where gambling is practised.

If one of the 185 persons referred to, will make himself known to me, and furnish such testimony of the fact as will assure me of its truth, I will take immediate measures for removing the evil complained of.

Anonymous letters are not to be relied on, but any respectable citizen is assured that his name will not be disclosed without his consent.

It is desirable to obtain correct information on this subject, and the citizens are earnestly solicited to furnish all they possess in relation to it.

SAMUEL W. DAVIES, *mayor.*

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The "Louisville Journal" says—

Some of the Vicksburg gamblers, after their expulsion from that city on the 4th inst. made their escape to Clinton. On the evening of the 8th, the following notice was posted up in the streets of the latter place:

"All gamblers found in Clinton after 12 o'clock, will be used according to Lynch's law. CAPT. SLICK.

"N. B. The importations from Vicksburg will look out."

Where will the exiled blacklegs turn their steps next? Towards Louisville? We solemnly warn them against it. The inexorable "judge Lynch" has recently been holding court in our city, and there are unequivocal indications, just at this time, that the gamblers already here cannot make their escape too precipitately.

These are given as *specimens* of the feelings and doings of the people of the west. All the river towns are alarmed at the fearful introduction of a "legion of devils" amongst them.

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Origin of Lynch's law.

As "Lynch's law" has recently become almost as general as it is proverbial, and as the question is asked a hundred times a day "what is Lynch's law?" it may be well to relate the following anecdote, which may serve as an answer:—

In Washington county, Pa. many years ago, there lived a poaching vagabond, who, it was believed, maintained himself and family by pilfering from the farmers around him. Though universally suspected, yet he managed so adroitly as always to avoid detection. At length a Mr. Van Swearingen laid the following trap for him, in which he was caught. Having a newly-born calf, he concealed it from his neighbors for several days—then rode over to the poacher's, and told him that a young calf had recently strayed to his farm, which he had penned, and was anxious to find the owner. The poacher asked him how long he had had it, its size and color, and being told, said it was his, and that it had gone off just at the time spoken of. Being thus detected in a lie with a design to defraud, Van Swearingen reproached him with it, and told him he would give him twenty-four hours to leave the neighborhood, adding that if he remained longer he would prosecute him. The poacher only laughed at his threats, while the latter went to consult with his neighbors as to what was to be done. At the expiration of the twenty-four hours, five or six of them repaired to the poacher's, whom they found perfectly unintimidated. The party, however, proceeded to try him in due form, choosing one of their number, a farmer named *Lynch*, to be judge. Van Swearingen related the offence, which the poacher of course denied. The case was submitted to the judge, who decided that the poacher should be tied up and receive three hundred lashes, "well laid on," and then be given twenty-four hours to leave the place, under a penalty of receiving three hundred more if found after that time. The first part of the sentence was inflicted on the spot, with such *good intent*, as to render its repetition unnecessary. The culprit made off as fast as his lacerated limbs would permit him.

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DETESTABLE VILLAINY.

From the National Intelligencer.

Concurrent testimony, from different parts of the southern states, satisfy us that the miserable fanatics, few in number, as they are, who manufacture the abolition journals, have flooded the mails with them, to the just exasperation of the south, and to the great peril of the whole slave population of their country. This, it will be perceived, is a crime which may be perpetrated by a single individual, who is reckless enough to imbue his hands in the blood of hecatombs, by depositing incendiary publications in the mail, to inflame the whole country. For a crime of so deep a dye, in comparison with which murder and midnight incendiarism are acts of white robed innocence, there ought to be some adequate punishment; and the demand for it which is made in the annexed extract from an Augusta paper appears to us no more than reasonable. The most apt sentence that we can think of would be to condemn the publishers to follow their works:

From the Southern Patriot, (Charleston) July 29.

Incendiary tracts and papers. The mail brought by the steam packet Columbia, arrived this morning, has come not merely laden, but literally overburthened, with the newspaper called "The Emancipator," and two tracts entitled "The Anti-slavery Record," and "The Slave's Friend," destined for circulation all over the southern and western country. Now it is a monstrous abuse of the privilege of the public mail, to use it as the vehicle for conveying and scattering in every direction over the south and west the moral poison with which these publications are drugged. Some mode of prevention should be adopted to abate this nuisance. If the mail cannot be purged of this pernicious stuff, with which it is frequently freighted, in no other way, let some measures be adopted by requesting those whose interest is identical with ours, in places where these papers and tracts are addressed, to prevent their circulation within their limits. If the general post office is not at liberty to act in this manner, *it is impossible to answer for the security of the mail in this portion of the country*, which contains such poisonous and inflammatory matter.

The "Norfolk Herald" says—

"A bundle of incendiary missiles from the abolitionists' pandemonium in New York, were a few days ago received at the post office in this borough. This new emission of mischief, (a little 12 by 14 sheet issued monthly by 'R. Williams'), comes forth under the imposing title of 'Human Rights,' and is filled with matter of a tendency to excite sedition among the colored population of the south, and overturn the existing social and political relations of the country, the constant aim and object of the abolitionists, as manifested in this instance by the fact that the whole of the 20 or 30 copies mailed for this post office, *were directed to free negroes* in the borough and vicinity—and all sent gratis, of course."

The "Augusta Chronicle," and many other southern papers have paragraphs of a similar character.

But the editors of the Boston Atlas call loudly on the citizens of that place to assemble at Faneuil Hall, to proclaim their sentiments in reference to the insurrectionary movements at the south, and show their brethren that they do not sanction the acts of those who would light the torch of servile war—"cry havoc and let slip" the slaves to burn, violate and murder.

"Let," say the editors, "*Let there be a meeting called forthwith, in Faneuil Hall*, and let the Websters, and Otises, and Adamses, and Storys, and Spragues, and Austins, and Choates, and Everetts, be invited to attend, to vindicate the fair fame of our city. Let a manifesto go forth declaratory of our sentiments, as to the rights of the south, and of our abhorrence of the conduct of those combinations, which, under the name of philanthropy, are encouraging the worst of all possible calamities which can befal a nation, A CIVIL AND A SERVILE WAR."

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The Richmond "Compiler" learns from a Natchez paper, that Johnson, one of the kidnappers recently condemned in that city for negro stealing, is to be executed on the 31st. Clary, tried and convicted at the same time, has obtained a new trial, on the ground that it was a *mulatto*, and not a negro, which he stole. The offences are distinct under the statute.

From a gentleman who lately visited Mississippi, we learn, that the practice of negro stealing is carried on to a great extent. The poor creatures are enticed away from their homes, under the pretence of assisting them to escape from thraldom, and they are then sold by their pretended benefactors. Another still more horrible traffic is carried on by mercenary wretches. They obtain a fee from slaves for promised assistance, and then murder their unsuspecting victims, throwing them into the Mississippi, with their bodies ripped open to make them sink, in order to prevent detection. What enormities will not the cursed love of pelf produce?

☞On the 30th ult. *the post office in Charleston, S. C. was forcibly entered on the night previous*, by removing the inside shutter, and a bag, containing a large number of incendiary tracts and newspapers intended for distribution to the south and west, taken thence, of which it was understood that a bon fire was publicly to be made on the following night, at eight o'clock, without the limits of the city. The state of public feeling there on this subject will be illustrated by the letter addressed to the editor of the patriot, by the right reverend doctor England, the Roman Catholic bishop of Charleston—and some other extracts from the Charleston papers, which we copy below.

The Charleston Southern Patriot, commenting upon the breaking open of the post office, says:

This act is premature, as application had been made to the general post office for instructions as to what disposition should be made of these publications. If the answer had been, that there was no authority to interrupt their passage through our post office, in that case those states whose *peculiar institutions* are involved in hazard, must *take the law into their own hands. Extreme cases require extreme remedies.* It never will do to allow our mails to be laden with these anarcical publications, while our citizens fold their arms and permit the poison to circulate through all the veins and arteries of society at the south and west. But we would suggest that whatever be done in this way, let it be performed *in open day light and on the highway*, and that persons of responsibility and weight of character be deputed to act *in the name and for the good of the whole of the citizens.* Let us, if the necessity is imposed on us of temporarily violating order, act with as little disorder as possible, and without the agency of large masses of men, who may become excited beyond the necessities of the case.

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To the editor of the Southern Patriot.

July 30th, 1835.

SIR: Understanding that a report has been circulated that I have received and retained one of the mischievous productions which have been sent hither from New York—and that this report is partially credited, I beg you will have the goodness to inform my fellow citizens through your columns, that I have not received and consequently have not retained any such paper—that I have inquired among the clergymen and students under my charge, whether any one of them has received any such production, and they have assured me that not one has been received by any of them.

I will add, that I know no Carolinian who more sincerely deplores, more fully condemns or more seriously reprobates the conduct of those men, who by pouring them in upon us, are destroying our peace and endangering our safety. Nor do I know a single Roman Catholic, clerical or lay, with whom I conversed upon the subject, who is not fully determined to use his best efforts to prevent the mischief of their interference. I remain, sir, your obedient humble servant,

† JOHN, bishop of Charleston.

[The suspicion against the bishop was probably caused by a supposed attachment, on his part, to the *politics* and *policy* of DANIEL O'CONNELL, the *Irish* "agitator"—whose infamous calumnies of the whole American people, are well known—and cherished as the "apple of their eye" by the fanatics that are causing so much trouble in the south and south west. The *O'Connell*, has a mighty influence in the *United States!*]

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The "Charleston Mercury" of July 30 says—

We published a few days since, a notice of the proceedings of the anti-slavery society in New York threatening to inundate the southern states with their incendiary publications. That threat they have now fulfilled. By the steamboat, which arrived here yesterday from New York, thousands of copies of these infamous publications, consisting of newspapers and pamphlets, filled with the most scandalous and seditious matter, and illustrated by *suitable prints*, were received at the post office, addressed to a number of respectable gentlemen here, and among them, we believe the clergy of all denominations. Vast numbers we are informed, have also been received at the post office here, addressed to the several post offices of this and other southern and western states especially in Alabama, Louisiana, Mississippi and Georgia. We give this information in order *to put our southern friends on their guard*, and to warn them of the insidious measures now in a course of execution for their destruction. We are not prepared at this time to suggest any remedy adequate to the suppression of the evil. Perhaps some further legislation by congress, in the regulation of the post office, might be deemed calculated to prevent the extension of this moral pestilence, through the agency of that department. The circulation of such papers is already severely punish by the laws of South Carolina; and should any agent of the northern fanatics, who are endeavoring to spread devastation and ruin through the fair fields of the south be detected in the act, he would assuredly expiate his offence on the gallows.

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The "Cincinnati Republican" of the 30th July says—

We have just seen a letter from a gentleman in Port Gibson, Mississippi, in which the writer states that on the seventh or eighth of July, ten negroes and two white men were tried in Madison county, by judge Lynch, for being concerned in the insurrection among the negroes in that state—found guilty—and *hung!* He also states that twenty-four negroes and twelve white men besides, had been tried—found guilty, and has no doubt that they were hung. The negroes were found guilty by a jury composed of one hundred men. It was determined that if any one of the jurymen had any doubt as to the guilt of them, they should be acquitted; but it appears that the verdict was unanimous; and the writer of the letter had no doubt but they shared the fate of the others. The 24 negroes all belonged to one man.

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AFFAIRS IN MISSISSIPPI.

From the Columbus (Miss.) Democratic Press.

THE ATTEMPTED INSURRECTION.

Various rumors respecting this atrocious affair have been circulated among the citizens of this town for several days past. We are able this morning to give authentic information upon the subject. Below we publish the governor's proclamation, which we received by the last mail from Jackson, and in another column will be found an interesting account of the "horrible conspiracy," from the Clinton Gazette. A more diabolical attempt—a deeper laid scheme of villainy, was never brought to light. And what adds to its atrociousness, and to the deep felt indignation with which we must contemplate it, is the fact that *white men* were at the head of it. Individuals enjoying all the privileges of free citizens, have, with a fiend like mindness, instigated the ignorant and generally contented African, to rise against their fellow citizens, and to engage in an indiscriminate butchery of every age and sex? Language fails to express the indignation, the horror, with which we look upon such fiends, for men they can hardly be called: they must be devoid of all the common attributes of human nature.

PROCLAMATION,

By H. G. Runnels, governor of the state of Mississippi.

Whereas it has been represented to the executive, that there is a band of lawless, base, villainous white men traversing the country, endeavoring to get up an insurrection among our slaves: And whereas, it has been further represented to the executive, that disclosures have been made by those concerned, well calculated to excite the most serious apprehensions that a widely extended conspiracy is on foot, calculated to produce an alarm, and call forth the vigilance and energy of our people:

I do therefore issue this proclamation, exhorting all good citizens, and commanding the officers, both civil and military, to use the most untiring vigilance to suppress all such insurrectionary movements, and to apprehend all such suspicious persons, and deliver them over to the proper authorities, that they may be brought to condign punishment. To which end I especially call on the members of the board of police of each county and district, to exert the authority given to them by an act of the legislature of the 25th December, 1833, of organizing, in their respective beats, active and efficient patroles. I repeat the importance and necessity of much vigilance in all quarters of the state; and should it become necessary, I do hereby order the quartermaster general, and each of the assistant quartermasters general, to deliver the arms of the state into the hands of the people for their defence, taking the receipts of responsible persons for the same, and at the same time having due regard to the proper distribution according to the exigencies of the case.

In testimony whereof, I have hereunto set my hand, and caused the great seal of the state to be hereunto affixed, at Jackson, July 13, 1835. H. G. RUNNELS.

By the governor:

DAVID DICKSON, *secretary of state.*

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From the Clinton (Miss.) Gazette.

HORRIBLE CONSPIRACY!

Since the commencement of our editorial labors, we have not been thrust upon the performance of a duty so melancholy as that to which we are called at the present time.

A few days anterior to the 4th of July, various circumstances excited some suspicion in the minds of a few respectable citizens of Madison county, in the neighborhood of Beattie's Bluff, of an insurrection among the slaves of that settlement being about to occur. Several slaves were at different times overheard, whilst engaged in secret conversation relative to the proposed plot. A scrutiny, such as the crisis seemed to demand, was forthwith instituted, which led to the development of facts of a most startling and extraordinary character. It was very soon ascertained in the progress of the examination which ensued, that two individuals by name Cotton and Saunders, both of them steam doctors by profession, were prominently concerned in this nefarious scheme. Both these individuals were immediately apprehended. A large meeting of the citizens of Madison county was held, to deliberate upon the momentous crisis which had arisen, at which it was unanimously resolved that a committee of investigation should be immediately organized in the name, and upon the responsibility of the whole body of the citizens, to use all necessary means for ferreting out this nefarious plot, and bringing the offenders to a speedy justice. This committee thus organized, composed of 13 of the most respectable citizens of the county, men of elevated standing in the community, for moral worth, integrity and discretion, proceeded as soon as possible, to the task assigned them; and discovering that the evidences of a conspiracy having been formed, were perfectly conclusive, and that the guilt of Cotton and Saunders was placed beyond doubt, with but little delay, ordered them to a public execution, by hanging.

which took place in the town of Livingston, on Saturday, the 4th day of July. Before Cotton was hung, he made repeated confessions of his guilt, both privately and publicly in the presence of an immense multitude, and furnished a detail of the plan of operations agreed on, and a list of the prominent conspirators. It seems from Cotton's confession, which was, as to the most essential particulars, reduced to writing, previous to his death, and subscribed to by him in presence of numerous witnesses, he was an accomplice of the celebrated Murrel; and he in fact acknowledged that he had been a member of two grand councils in association with Murrel himself. The project embraced the whole slave region from Maryland to Louisiana, and contemplated the total destruction of the white population of all the slave states, and the absolute conquest and dominion of the whole country. A large number of bold, enterprising and unprincipled white men are concerned in the scheme, scattered over the country along the whole line of contemplated operations, who have succeeded in engaging the aid of such among the negro population, as, from their peculiar characteristics, were best suited to such an enterprise—*the bold, the sagacious, the desperate.*

Arms and ammunition have been procured and deposited in various secret places, and all other arrangements effected which were deemed essential to the adoption of incipient operations. The publication of the Murrel pamphlet is understood to have precipitated the attempted execution of the plot, and to have induced earlier hostile movements by several months, than was originally contemplated. So far as we have been informed, the scheme of operation agreed upon was as follows:

"On the night of the 4th of July, an attack was to be made on the town of Vernon, Madison county, at a time when most of its white population would be asleep. The whites thus taken by surprise were to be indiscriminately murdered. All the ammunition and arms of the town were to be seized, and the whole force of the insurgents, as rapidly as possible, was to be directed against the town of Livingston, where similar proceedings were to be had. By the time this could be accomplished, it was expected that the whole body of the white population would be overcome with panic, and be constrained to fly from the scene of terror; and every black in the country, able to wield the weapons of warfare, would be found arrayed around the insurgent standard. This army of incendiaries was then to march upon the town of Clinton, burning, sacking and laying desolate the whole country as they advanced. By the time the destruction of Clinton could have been accomplished, it was expected that the insurgent army would be greatly strengthened, and amount, perhaps, to several thousands. A precipitous march was then to be made to the county of Claiborne, along the skirts of Warren, and the whole country upon the river bank was to be ravaged, and inundated with the blood of men, women and children."

Such are the outlines of this plan of conspiracy, related by those who have witnessed much of the investigation that has taken place upon the subject in Madison county. We are sorry that we are unable at present to furnish an account of all the facts disclosed in the progress of that investigation; but we have been promised a statement of all the evidence furnished to the committee in Madison, as soon as it can be conveniently prepared; when we shall deem it our duty, as a sentinel of the public safety, to make them as widely known as possible, that a due degree of vigilance and activity may be excited among the white population, to insure our present safety, and the utter eradication of this accursed conspiracy.

We are assured by a gentleman who was in Livingston on Monday last, that the utmost order seems to pervade the community there. An intense excitement certainly exists among the whole white population; but the excitement is of that awful and profound character which discloses not itself in noise and uproar. The committee of investigation occupy a room withdrawn from the multitude, and the utmost calmness and dignity have marked their whole proceedings. The investigations which have taken place as the various cases are brought before them for consideration, are conducted in a manner that would not do discredit to the most dignified judicial tribunal of the country. Every opportunity is furnished to the persons inculpated, of cross-examining witnesses, introducing testimony in their defence, and explaining all doubtful points by their own voluntary statements, which the most humane could desire; and, what is truly creditable, not a word of unkindness is permitted to be addressed to the culprit on trial, and no question propounded to any of the witnesses calculated to produce a statement of the case not entirely in accordance with truth and justice. We are told that five white men altogether, have been hung in Livingston. *Ruel Blake*, one of the prime movers of the conspiracy, and who, it is said, was the individual designated to lead on the army of incendiaries against this county, had fled in dismay, but was apprehended in Vicksburg, carried back to Livingston and tried, and executed on yesterday, between 3 and 4 o'clock. The number of negroes executed we have not heard precisely enumerated, but suppose it to amount to 10 or 15.

We were just informed that Hunter, one of the chiefs of the conspiracy, has been apprehended near Benton, in Yazoo county, and that he has made some material disclosures in addition to those already made.

A committee similar to the one in Madison, has been in session for several days in Clinton. Various suspected white men from different parts of the country, have been arrested, brought before them and discharged. Several negroes have also been hauled up; but nothing having been elicited, which authorized punishment, they were set at liberty.

We sincerely trust that our countrymen will be *on the alert throughout the state;* for indeed we do feel that there is danger abroad. Timely precautions will insure our perfect safety, and utterly defeat this abominable project; but inaction and apathy, may be productive of consequences which we do not dare to *name.*

THE PROJECTED CONSPIRACY.

The Lynchburg Virginian, after copying several articles upon the subject of the contemplated insurrection in Mississippi, adds the following singular development:

The reader will have seen allusions in the foregoing accounts, to one Murrel, with whom the leaders of this conspiracy are said to have been confederated. This Murrel was tried in Jackson, Madison county, Tennessee, in June 1834, was found guilty of negro stealing—or, more properly speaking, decoying negroes from their masters, for the purpose of selling them for his own profit, and sentenced to ten years' imprisonment in the penitentiary of Tennessee, where he is at this time. We have now before us a pamphlet containing a detailed account of the arrest of this daring freebooter, by Virgil A. Stewart, early in the year 1834, in the truth of which, however, so startling was its character, we placed but little confidence until that romantic narrative had been partially confirmed by recent events. We did not believe that such an incarnate fiend lived on the face of the earth. But we can no longer doubt its truth, or withhold from Mr. Stewart, his captor, the credit due alike to his ingenuity and intrepidity.

Mr. Stewart, in order to ascertain whether Murrel had stolen the negroes of a friend of his, (parson John Henning, of Madison county, Tennessee), determined to pursue him to a point where it was supposed that he had concealed them. Falling in with Murrel, on the very day that he started in pursuit, Stewart feigned entire ignorance of the name and character of his companion, and, by the most ingenious stratagems, wormed himself so completely into the confidence of the villain, that he obtained from him a succinct history of the exploits of his past life, which had been one continued series of robbery and murder, perpetrated under various circumstances, and concealed by the most artful manœuvres. While, however, Murrel was daily loading his soul with crimes of this character, he was meditating a scheme of villainy, on the most extensive scale, and which, had it been only partially successful, must have resulted in the most appalling consequences. This diabolical scheme was nothing less than a *servile insurrection*, to be consummated on the 25th of December, 1835, in all the slaveholding states and territories, from Maryland to Louisiana.

For the purpose of preparing for this great stroke, he had travelled first to New Orleans; thence, via Cincinnati, to Lexington, (Ky.), thence to Richmond, Va. thence to Charleston, Milledgeville, Savannah and Augusta; from which place he returned to Williamson county, Tennessee, his native place, or, as he calls it, his "old stamping ground." He says, "in all the route I only robbed eleven men; but I *preached some fine sermons*, and scattered some counterfeit United States paper among my brethren." The fiend! Covered with crime, and yet daring to ascend the pulpit, as the messenger of the Most High! Did he not fear that he might be blasted by the lightning of heaven? He goes on to say that he regarded this plan "as the sure road to an inexhaustible fortune to all who would engage in the expedition;" and he adds: "My heart began to beat high with the hope of being able, one day, to visit the pomp of the southern and western people in my vengeance, and of seeing their cities and towns one common scene of devastation, smoked walls and fragments." Fortunately, however, his career of iniquity was about to be terminated at least for a season. Mr. Stewart, after obtaining from him a full confession of the villainies which had signalized his career, and a development of his future plans, succeeded in bringing him if not to full justice, at least to temporary punishment. And it is to be hoped, should he survive his present confinement, and be permitted again to go abroad in the world, that his footsteps will be dogged and his manœuvres vigilantly watched by every community which may be cursed with his presence.

Mr. Stewart also succeeded in obtaining from Murrel a partial list of his confederates in the different slaveholding states; Murrel remarking, on handing it to him, that "there is not paper enough to make a proper list, but when you come up to my house we will have time to make a complete one, and this will do until then, as you will not travel any until you go with me a few trips and learn the routes; and there is not near all the names on this list, but there is no more paper to write on. I want you to be with me at New Orleans, on the night that the negroes commence their ravages: I intend to head the company that attacks that city myself. I feel an ambition to demolish the city which was defended from the ravages of the British army by the great general Jackson." When we first read the pamphlet giving the detail of Murrel's infamous career, we were disposed to look upon it as we do the biographies of villains generally, with "many grains of allowance"—and as to his list of confederates, we had no doubt that it was vastly exaggerated in number, and that many of the names upon it had no living representatives. But, on examining it, we find that

two of the Mississippi incendiaries, (Cotton and Hunter) are upon it, and we have therefore, less reason to doubt the accuracy of the remainder. The number of these confederates amounted, in Tennessee, to 61; Mississippi, 47; Arkansas, 29; Kentucky, 25; Missouri, 27; (among the number in Missouri is the celebrated Stephen W. Foreman, who was some months ago apprehended as the head of an extensive gang of counterfeiters); Alabama, 28; Georgia, 34; South Carolina, 35; North Carolina, 32, Virginia, 21; Maryland, 27; Florida, 16; Louisiana, 33; "transienters, who travel from place to place," 22; among whom is the renowned Phelps, who was some months ago apprehended in Mississippi, as a highway robber, and shot in the attempt to escape from jail—making a grand total, on this incomplete list, of 456! It is to be regretted that this list is further deficient in omitting the christian names and places of residence of these incendiaries. We annex those in Virginia, none of whom however, do we recognise: R. Garison, A. Baloach, J. Kerkman, three Merrits, W. Carnes, D. Hawkes, J. Ferines, G. Dorum, S. Walker, four Mathises, L. Wiseman, S. Washborn, P. Hume, F. Henderson, E. Cockburn, W. Milbourn.

It may be proper to say, in conclusion, that we have not attempted any thing like a full analysis of the pamplet in question, nor have we referred to a tithe of the villainies, which its *hero*, according to his statement to Stewart, had achieved in his long unchecked career. Our object in referring to it at all is to excite a salutary caution in the public mind, particularly in reference to that vagrant crew, which infests all towns especially, having neither "a local habitation nor a name;" who, being evidently without means of livelihood; subsist by roguery, and who are always ready to embark in any scheme of villainy which promises to supply their craving appetite for plunder.

INSURRECTION IN CUBA.

From the New York Courier & Enquirer.

We have been favored with the following extract of a letter, giving a more detailed account than has yet been published, of the disturbances among the negroes in the vicinity of Havana.

Havana, July 17th, 1835.

When you hear of the difficulties we have had here amongst the slaves, let it not alarm you, as the affair was of no consequence. About 40 negroes "emancipados,"* probably badly advised, thought they would sooner obtain their freedom by rising upon those who kept them, and massacreing all the white people they might meet on the high road about three miles from the city. As soon as the alarm was given, the cavalry marched to the spot, led on by governor Tacon in person; orders were given not to spare one. They were then soon dispersed and massacred in their turn. Some of them made a brutal resistance and threw themselves like wild beasts on the horses, and preferring to be absolutely cut into pieces rather than surrender. Others fled, and a good many were made prisoners. About eighteen or twenty lives have been lost—five of which were whites, the rest negroes. This happened on Sunday the 12th inst. at one o'clock in the afternoon. On Tuesday the 14th, at the same hour and almost on the same spot, negro slaves carrying water either insulted or threatened a sentinel who was shot dead. Immediately afterwards a free negro woman having some property, and who was called by the blacks *la Reyna*, was made prisoner, as well as five more free negroes, who were found concealed in her dwelling with muskets and swords. Amongst them there is one negro from Jamaica, and another from St. Domingo.

Six of the negroes who revolted on Sunday, were shot yesterday at 5 o'clock in the afternoon. There are still many more to be executed.

*Negros emancipados. These are negroes captured by the English from slave traders, who they make prisoners and bring to the Havana. They deliver them up to the Spanish government on condition that they shall be free after five years residence in the colony.

PHILADELPHIA CITY AND COUNTY.

From the Commercial List.

Value of the real estate in the city and county of Philadelphia, from the official documents, July 1st, 1835.

CITY OF PHILADELPHIA.

Wards.	*Value.*	*Wards.*	*Value.*
U. Delaware,	$3,217,852 50	N. Mulberry,	$2,627,625 00
L. Delaware,	3,482,515 00	S. Mulberry,	4,134,637 50
High,	7,982,062 50	North,	5,409,595 00
Chesnut,	8,070,195 00	Middle,	5,645,092 50
Walnut,	5,636,982 50	South,	4,958,262 50
Dock,	4,486,525 00	Locust,	5,010,432 50
N. Market,	2,613,495 00	Cedar,	3,332,170 00
Pine,	2,921,300 00		
NORTHERN LIBERTIES.			
First Ward,	1,829,697 50	Second Ward,	1,649,612 50
Third,	1,476,845 00	Fourth,	1,519,342 50
Fifth,	1,733,105 00	Sixth,	1,215,120 00
Seventh,	1,517,147 00	Unincorporated,	1,644,495 00
SPRING GARDEN.			
First Ward,	2,040,905 00	Second Ward,	2,501,215 00
Third,	1,654,142 50	Fourth,	1,966,305 00
KENSINGTON			
First Ward,	739,987 50	Second Ward,	580,150 00
Third,	874,609 00	Fourth,	718,805 00
Fifth,	978,177 50		

SOUTHWARK.

East,	2,934,582 50	West,	3,002,820 00
Moyamensing,	3,225,217 50	Germantown,	1,640,395 00
Passyunk,	1,469,767 50	Oxford,	1,363,647 50
Kingsessing,	759,208 00	Byberry,	435,902 50
Blockley,	2,095,207 50	Lower Dublin	1,155,507 50
Penn township,	1,718,700 00	Moreland,	217,572 50
Roxboro',	1,178,905 00	Bristol,	645,747 50

RECAPITULATION.

City of Philadelphia	$68,528,742 50
Northern Liberties	12,615,365 00
Spring Garden	8,162,567 50
Kensington	3,891,120 00
Southwark	5,937,402 50
Moyamensing	3,225,217 50
Passyunk	1,469,767 50
Kingsessing	759,208 00
Blockley	2,095,207 50
Penn township	1,718,700 00
Roxborough	1,178,905 00
Germantown	1,640,395 00
Oxford	1,363,647 50
Byberry	435,902 50
Lower Dublin	1,155,507 50
Moreland	217,572 50
Bristol	645,747 50
Total	$115,040,967 50

THE FAR WEST.

From the Illinois Register.

We have been politely furnished by O. H. Browning, esq. with the following interesting extract from a letter addressed to him from Cantonment Leavenworth, by a gentleman who accompanied the United States dragoons, in the summer of 1834, in their expedition to the Pawnee villages. The extract contains some new and entertaining historical facts, as also a graphic description of the scenery presented at the Pawnee Peaks; and we doubt not will be perused with interest by our readers.

"On the 19th of July we again resumed our march under the guidance of the above named Pawnee Mohaw, who, to my mind, proved himself to be a treacherous villain; for he led us a circuitous route of three days, over an excessively rugged rocky country, and amid inconveniences of every description, when, on our return to the encampment, we traversed a beautiful prairie, and found the distance not to exceed forty-five miles. Yet I, for one, did not regret it, for our way led through scenery not exceeded—I hardly believe equalled. I have read of the Alps, and have seen paintings of the most celebrated portions of Alpine scenery. The Alps are higher; but in sublimity, grandeur and general effect, they *must*, and in time *will*, yield the palm to the hitherto unknown, unvisited Pawnee Peaks. Here the gradual swell, the beetling precipice, the castellated battlement, the solitary tower, the glittering, roaring cascade, the shady vale and opening vista, disclosing in its turn distant views of new grandeur—all, all the rich combinations of mountain scenery are here thrown together, forming an unrivalled whole, which, in years to come, will be the goal of all travellers on earth.

"On the evening of the 21st we reached the goal of our enterprise, the long-sought Pawnee village. Here was new matter of wonder. We approached a sweep of perpendicular mountains, whose tops are wholly inaccessible to the human foot from this side, and reached the village through the passage which leads to it, a narrow defile, which one hundred good men, with a proper armament, and a good engineer, could keep against the countless legions that Napoleon led to Moscow.

"After passing through this defile, we immediately entered the village, situated in a beautiful bottom, on the margin of a river, supposed, by some, to be main Red river, but which is only a principal fork of that stream.

"Like others of the southern rivers, its bottom is a flat bed of fine sand that maintains nearly the same level all the way across, the water now but a few inches deep, *yet, unlike* the water of other rivers, this is nearly as salt as the water of the Kanawha saline. When this stream is full, it is 500 yards wide, and about ten feet deep. The natives say that the salt taste proceeds from great beds of rock salt about twenty miles above, and exhibited to us quantities that they had procured there. Our arrival here was timely; for we were hungry, and had nothing to eat. They had plenty of corn just in good eating order, pumpkins, squashes, water and muskmelons, together with dried buffalo and horse meat. For supplies of these articles we gave them tobacco, tin cups, buttons, the yellow stripes from our pantaloons, &c. but when we offered them money, they laughed at us, for these unsophisticated beings knew not its value. When we could explain to them the use of any thing, they would trade for it; but as we could not make them sensible of the use of money, none of it would they have.

"They call themselves Towea Indians, and appear amiable and industrious. The women are beauties, yes, real first rate, light copper beauties, for devil take the ugly one that I saw, that was less than a 'centurion,' which word, a school mate of mine once defined to be a person one hundred years old, and got flogged for his pains.

"On the 22d and 23d, the Kiewa, Waco and Camanche Indians arrived, and our little band was surrounded by between

three and four thousand warriors, yet we trembled not. On the 24th the treaty proceeded, and by it, among other things, we recovered from them a little white boy, the son of Gabriel Martin, a wealthy planter of Louisiana. He had gone up, with some friends, early last spring on a hunting excursion to the False Washita, and whilst separated from the rest, was attacked by the Indians and killed, and his son taken prisoner. They concealed the boy on our approach, and he probably would never have been liberated, had it not been for a negro, likewise a prisoner, who informed us where he was concealed. He was seven or eight years old, and unusually intelligent."

We learn from St. Louis, that Mr. Campbell, of the firm of Sublattier & Campbell, had reached that place from the Rocky Mountains. In three months, he had travelled two thousand miles, (out and home), accompanied by only two persons, through the wild regions of the west, inhabited only by Indians—by whom he was not molested. On his return, Mr. Campbell resolved to attempt the *navigation* of the Platte river, a means of transportation which has heretofore been, by the traders generally, deemed altogether impracticable. He accordingly constructed a batteaux, loaded it with a large number of packs of buffalo robes, and, by the occasional employment of small boats made of *skins*, he was enabled to descend the river a distance of six hundred miles, in safety. The navigation of the Platte is made very difficult by its great width, its shallowness, the absence of a channel in any part of it, and its quick-sand bottom.

The United States dragoons under col. Dodge, were at the grand Pawnee village. They were in excellent health—had formed a very advantageous treaty with the Pawnees, and were shortly to proceed to the Aurickaree village, a nation particularly hostile to our people, for the purpose of holding a council with them. This tribe, to the number of a thousand warriors and about 400 lodges, were four days travel from col. Dodge's encampment. Mr. Campbell had an interview with them at their village—was hospitably treated, and informed by them of the position of the dragoons, and of the expected visit. Preparations were being made to give them a friendly reception.

EARLY LIFE OF WASHINGTON.

We extract a single passage relating to *Washington*, from an oration recently delivered at Beverly, in Massachusetts, by *Edward Everett*. Those who have witnessed the felicitous style in which Mr. *Everett* addresses an audience, may feel the thrill which it may be supposed the delivery of this paragraph produced. [*Nat. Intel.*

"Time would fail me to recount the horrors of the ninth of July, 1755. *Washington*, emaciated—reduced by fatigue and fever—had joined the army. He implored the ill-starred general to send forward the Virginia rangers to scour the forest in advance; he besought him to conciliate the Indians. His counsels were unheeded; the wretched commander moved forward to his fate. Washington was often heard to say in the course of his lifetime, that the most beautiful spectacle he had ever witnessed, was that of the British troops on this eventful morning. The whole detachment was clad in uniform, and moved as in a review, in regular columns, to the sound of martial music. The sun gleamed upon their burnished arms, the placid Monogahela flowed upon their right, and the deep native forest overshadowed them with solemn grandeur, on their left. It was a bright midsummer's day, and every bosom swelled with the confident expectation of victory. A few hours pass, and the forest wrings with the yell of the savage enemy; the advance of the British army under colonel Gage, afterwards the governor of Massachusetts, is driven back on the main body; the whole force, panic struck, confounded and disorganised, after a wild and murderous conflict of three hours, falls a prey to the invisible foe. They ran before the French and Indians 'like sheep before the dogs.' Of eighty-six officers, sixty-one were killed and wounded. The wretched general had four horses shot under him, and received at last his mortal wound, probably from an outraged provincial in his own army. The Virginia rangers were the only part of the force that behaved with firmness; and the disorderly retreat of the British veterans was actually covered by the American militia men. Washington was the guardian angel of the day. He was every were in the hotest of the fight. 'I expected every moment' said Dr. Craik, his friend, 'to see him fall.' His voice was the only one which commanded obedience. Two horses were killed under him, and four bullets passed through his garments. No common fortune preserved his life. Fifteen years after the battle, Washington made a journey to the great Kenawha, accompanied by Dr. Craik. While exploring the wilderness, a band of Indians approached them headed by a venerable chief. He told them by an interpreter the errand on which he came. 'I come,' said he, 'to behold my great father Washington, I have come a long way to see him. I was with the French in the battle of Monongahela. I saw my great father on horseback, in the hottest of the battle. I fired my rifle at him many times, and bade my young men also fire their rifles at him. But the Great Spirit turned away the bullets; and I saw that my great father could not be killed in battle.' This anecdote rests on the authority of Dr. Craik, the comrade and friend of Washington, the physician who closed his eyes. Who needs doubt it. Six balls took effect on his horses and his garments. Who does not feel the substantial truth of this tradition? Who, that has a spark of patriotic or pious sentiment in his bosom, but feels an inward assurance that a heavenly presence overshadowed that field of blood, and preserved the great instrument of future mercies? Yes, gallant and beloved youth, ride safely as fearlessly through the shower of death. Thou art not destined to fall in the morning of life, in this distant wilderness. That wan and wasted countenance shall yet be lighted up with the sunshine of victory and peace! The days are coming and the years draw nigh, when thy heart, now bleeding for thy afflicted country, shall swell with joy, as thou leadest forth her triumphant hosts, from a war of independence!"

LAST MOMENTS OF JOHN RANDOLPH.

From a Philadelphia paper.

John Randolph, died in this city on the 24th of May, 1833, at the City Hotel, kept by Heiskell & Badger, in Third near Arch street. It so happened that the writer of this article was present with him when he breathed his last, and witnessed the two last hours of his earthly existence. The following account made up from memorandums recorded on the day referred to, may have some interest for those who have not before seen it.

On Friday, the 24th of May, I called at the City Hotel at about a quarter before ten o'clock, to inquire after Mr. Randolph's health, but without any intention of going to his room. I saw Mr. Badger, who said he thought Mr. Randolph was dying, and, said he, "I believe he inquired this morning for you. He desired me to send for some gentleman whose name I have forgotten, and I think it was you." I then mentioned my name, when he said "that was the name." I then said, I would go up and see him.

On entering the room I found two young gentlemen, who I afterwards learned were Dr. West and the younger Dr. Parrish, son of the attending physician. Mr. Randolph was lying in bed in the same position in which I had seen him the day before, having his head and back propped up, and his knees elevated. He appeared to be almost insensible.

After a little while he asked for a pencil and paper, which were given to him. He then asked for spectacles, which were also given to him, when he began to write very earnestly, resting the paper on the back of a waiter placed against his knees. When he had filled two-thirds of a page, the lines being irregular and wide apart, he handed it to Mr. Badger, who entered with me, to read. Mr. Badger attempted to do so, but found it incoherent and in some parts illegible. Mr. Randolph then said "send it over the way to Dr. Coutter." His mind was evidently wandering, and as he insisted upon the note's going with haste, Mr. Badger left the room with it, as if to send it.

Mr. Randolph soon after began to write again. After he had finished, he beckoned to me to come to him and giving me the paper he said "read it aloud." I tried to do so, but could only make out a part. It commenced thus, "dying,"—then followed words that looked like "place—home," and then these words, as well as I can recollect, not having the paper before me—"Randolph and Betty my children adieu—Put me to bed at Chatham." He then told me to send the note quickly to Chatham, and as he was urgent upon it, I left the room for two or three minutes, as if to execute his wishes.

At one time Mr. Randolph asked me to get an orange to which he pointed on the mantel piece, and cut it for him, which I did. He eat two small pieces. He asked for water, and drank two or three times. At times he showed, by his remarks, that his mind was nearly gone. At one time he said, "call captain West back." Captain West had been an officer on board of one of the packets in which Mr. Randolph had made a voyage to England, but was not then in port. At another, he inquired "how much do they ask for all the chairs in this room?"

Between 10 and 11 o'clock Mr. Henry E. Watkins, of Virginia, came into the room. Mr. Randolph seemed to recognise him as he took his hand. The same occurred with Mr. John S. Barbour who came soon after. Mr. Wm. Barksdale also came in, when Mr. Randolph asked him where his son was, and told him to go and bring him, which he did. Before 11 Dr. Parrish arrived, and from that gentleman I learned that up to 8 o'clock of that morning, Mr. Randolph's mind had remained perfectly unimpaired.

I cannot recollect the whole of the little incidents that occurred. Mr. Randolph did not appear to suffer any pain. At times he wished the door left open for the air to pass through, one window being all the time open. At one time after eating the orange, he asked for a toothpick, and then for a penknife to mend it, which was given him, but he could not use it. When he wrote the first time he used Mr. Badger's spectacles. His own were under him on the bed, and could not be got at, but an old pair occasionally used by him was given to him at one time, when he said "these are not the best ones." At one period he insisted upon putting his spectacles into a tumbler of water that stood on a stand within his reach, which I afterwards learned was sometimes his practice at home. At times there was a motion of his lips, with a movement of the hands as if in devotion.

At about twenty minutes after eleven, his eyes began to become fixed, and he laid from that time without moving. His breathing was easy, and continued so until fifteen minutes before twelve o'clock (noon) when he drew his last breath. He departed without a groan or a struggle. As he ceased to breathe, there was a slight contortion on one side of his face, and his legs, which had continued elevated at the knees, fell

over from their previous position to the left side. I assisted Dr. Parrish in removing the pillows and chair from under Mr. Randolph's head, and before I left the room gave to Mr. Barksdale the paper which Mr. Randolph had handed me to read, supposing that as it contained the last words written by that distinguished man, it might be considered as a valuable relic by some of his relatives, and especially by those named in it, who, I have since learned, were his nephew and his niece.

The incidents above related are substantially taken from memorandums made at the time. If they have no interest attached to them, it is because no matter of interest occurred. They will, however, answer this one purpose—They will show exactly what did happen during the two last hours of Mr. Randolph's life, and may serve to refute any false tales that may at any future time be fabricated to the prejudice of that extraordinary man.

Mr. Randolph's remains left Philadelphia on Sunday the 26th May, for his late residence at Roanoke, in charge of his friend Mr. Barksdale.

Dr. Parrish had some interesting conversations with Mr. Randolph not long before his death, which, it is probable, were reduced to writing soon after, and may possibly at a future day be given to the public.

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LAST HOURS OF JOHN RANDOLPH.

The Richmond Courier contains the following copy of the deposition of Dr. Parrish, the physician who attended the late John Randolph in his last moments. It was read before the general court at Richmond, during the trial of the will of the deceased:

"Joseph Parrish, of the city of Philadelphia, doctor of medicine, aged fifty-five years or thereabouts, being produced, affirmed and examined on behalf of William Meade, named in the annexed commission, deposeth as follows: That being legally required to make a deposition relative to John Randolph of Roanoke, I hereby state my recollection of such incidents as I consider calculated to show the state of his mind during the period of my medical attendance.

"John Randolph died under my medical care on the morning of the fifth month, (May) twenty-fourth, eighteen hundred and thirty-three, at one quarter before twelve o'clock. He breathed his last in a chamber of the City Hotel, No. 41 North Third street. I was present at his departure, closed his eyes and placed his limbs in a decent position. I was called to visit him on the twentieth of said month by Edmund Badger, one of the proprietors of the City Hotel. It was a stormy night—the patient had arrived that afternoon in the steamboat from Baltimore. He was bound for Europe, and had been disappointed in getting on board the packet. He soon informed me that he was acquainted with me by character—'I know you through Giles'—alluding, I presume, to William B. Giles, late governor of Virginia, respecting whose case I was repeatedly consulted. The patient appeared much disturbed, on account of some difficulties he had encountered after leaving the steamboat. It was evident he was extremely ill: his debility was such, that it was with great difficulty he could expectorate, which caused much distress in respiration. He appeared fully aware of his danger—told me he had attended several courses of lectures on anatomy—described his symptoms with medical accuracy, declaring he must die if he could not discharge the purulent matter. On inquiring how long he had been sick, he replied, 'Don't ask me that question; I have been sick all my life.' He soon told, however, that he had been affected for three years with his present disease, which had been greatly aggravated by his voyage to Russia—'this had killed him.' On feeling his pulse, he said, 'You can form no judgment by my pulse, it is so peculiar.' I soon perceived, that to manage the case before me would be like steering between Scylla and Charybdis, and concluded to proceed by cautious soundings, rather than advance under full sail.

"I told him he had been so long an invalid he must have acquired an accurate knowledge of the general course of practice adapted to his case. He replied, 'certainly, at forty a fool or a physician, you know.' I remarked there were idiosyncracies in many constitutions, and wished to ascertain what was peculiar about him. He said, 'I have been an idiosyncracy all my life.' This appeared truly a most trite and correct view of the subject, although the querest did not consider it necessary to give a concurring reply. He informed me that all the preparations of camphor invariable injured him, and as to ether, 'it would blow me up.' Not so of opium and its preparations, for I soon discovered he was accustomed to the free use of this drug in some form or other. On one occasion he told me that he either did or could (I am not clear as to the words *did* or *could*) take opium like a Turk; but I certainly received from him the impression, that he was in the habitual use of opium in some shape or other. His conversation was curiously diversified, and he complained with no small asperity of the difficulties he encountered after leaving the steamboat. He was put into a wretched hack—the glass of the carriage was broken—he had been obliged to go from one hotel to another, in search of lodging, exposed to the peltings of the storm—and every thing was in a state of discomfort. He soon introduced the subject of the Quakers, complimenting us in his peculiar manner for neatness, economy, order, comfort in every thing, right in every thing except politics—'there, always twistical.' Before I retired he repeated a portion of the litany of the Episcopal church, with apparent fervor. The following morning, he sent for me early—I was called from bed. He apologized handsomely for disturbing me; and from this period we appeared mutually to enter into our new acquaintance in the capacity of patient and physician. After considerable experience in sick chambers and deathbeds, I may say, I never met with a character so perfectly original and unique. He might sometimes be compared to a spoiled and fractious child; but a little observation convinced me, that in the midst of his extreme constitutional irritability, petulence, impatience and sarcasm, there were some noble traits of character. Among these, was a keen sense of propriety. And when this was greatly appealed to, there was a disposition to be convinced and acknowledge indiscretions.

"On more than one occasion, it seemed proper for the patient to understand, that while his physician felt every disposition to treat him with kindness and respect, he was not insensible to what was due to himself. On one occasion when I proposed something for his relief, he petulantly and positively refused compliance. I paused, and addressed a few words to him. His good sense predominated; he apologized, and was as submissive as an infant. One evening I proposed a medical consultation, leaving the choice to himself. With an assurance of entire confidence in his medical attendant he promptly objected to the proposal, with the remark, 'In multitude of council, there is confusion; it leads to weakness and indecision: the patient may die while the doctors are staring at each other.' On parting with him, and especially at night, I would receive the kindest acknowledgments in the most affectionate tones, generally with the addition, 'God bless you—he does bless you—and and he will bless you.' It seems as if his disposition to criticise on the pronunciation of words could not be restrained under any circumstances of bodily suffering or immediate danger of death. The slightest deviation from his standard of propriety must be met and corrected. In the application of words to convey ideas, he was extremely exact. He once remarked to me, that although the French was a vile language, yet it was preferable to any other for treaties and public documents, because every word was in its exact place—'no double meaning—there it stands.' The night preceding his death, I passed about two hours in his chamber. He told me in a plaintive tone, that his poor John was worn down with fatigue, and compelled to go to bed. A most attentive substitute supplied his place; but neither he nor I were like John, who knew where to place his hand on any thing in a large quantity of baggage prepared for an European voyage. The patient was greatly distressed in breathing, in consequence of difficult expectoration, and requested me, at my next visit, to bring instruments for performing the operation of bronchotomy, for he could not live unless relieved. Yet, in the same interview, he directed a certain newspaper to be brought to him. It was found, after a difficult search. He put on his spectacles, as he sat propped up in bed, turned over the paper several times, and examined it carefully; then placed his finger on a part he had selected, and handed it to me, with a request that I would read it. It was headed 'Cherokee.' In the course of reading, I came to the word 'Omnipotence.' I gave it the full sound, Omnipotence. He checked me instantly—repeating it according to Walker. I gave my reasons for pronouncing it as I did. He did not rebut but quickly said, 'pass on.' Not long after, I pronounced the word 'impetus' with the *e* long. He corrected me instantly. I hesitated on his criticism; and in an inquiring and doubtful tone, repeated the word as he had pronounced it. He sharply replied, 'There can be no doubt of it.' An immediate acknowledgment of the reader, that he stood corrected, appeared to satisfy the critic, and the piece was concluded. I now observed to him, there was a great deal of sublimity in the composition. He directly referred me to the Mosaic account of creation, and repeated, 'Let there be light, and there was light.' 'There is sublimity.' He spoke, in this interview, of the slanders and lies that had been published against him in the newspapers. Even his domestic arrangements, his silver cups, &c. had been noticed, when every one might know, that silver was more economical than highly finished china or cut glass, that was liable to be broken. I believe the patient never fully relinquished his hold on life, until the day he died. It is true, he had often said he was dying; he must die—or words to that effect; but these were rather to be considered as ebullitions of a morbidly irritable mind. The hope of getting off to Europe still lingered with him. In proof I will state, that perhaps on the third day of my attendance, he informed me that he intended to go on to New York the next morning, and wished my bill to be left at the bar. I understood it to be his intention to embark at New York for Europe. Instead of going in the morning, as he expected, he was so extremely ill in the night that I was called from my bed to visit him. He also requested me to have some sulphate of morphia, which he had in his possession as a pure imported article, divided into papers of one grain each. This was done by my direction at the apothecary store of Charles Ellis, No. 56 Chesnut street, who put up my prescriptions for the patient. The morning of the day that John Randolph died, I received an early and an urgent message to visit him. Several persons were in the room, but soon left it, except his servant John, who appeared affected at the situation of his dying master. I remarked to John soon after I arrived, that I had seen his master very low several times before and he had revived, and perhaps he would again. The patient directly said, 'John knows better than that.' The interview of this morning was peculiarly impressive. I had not

been long with him before he looked at me with great intensity, and said in a very earnest and distinct manner, 'I confirm every disposition in my will, especially that respecting my slaves, whom I have manumitted, and for whom I have made provision.'

"This declaration was to me altogether unexpected. It involved a subject which in our previous interview had never been touched. It was one I should not have introduced. I assured him I was rejoiced to hear such a declaration from him. He appeared anxious to impress it on my mind. Soon after this I proposed to go for a short time, to attend an urgent message received just before I had left home, assuring my patient I would return as speedy as possible. He positively rejected my leaving him—'You must not go: you cannot, you shall not leave me.' He called to his servant John to take care that the doctor did not leave the room, and John accordingly locked the door and soon reported, 'master I have locked the door, and got the key in my pocket, the doctor can't go now.' My proposal to leave him for a short time, even on a promise of return, evidently irritated him for a moment. It may show the situation of his mind, when I state that in the moment of excitement to which I have referred, he said, 'If you do go you need not return.' I appealed to him as to the propriety of such an order, inasmuch as I was only desirous of discharging my duty towards another patient, who might stand in need of assistance. His manner instantly changed, and he said, 'I retract that expression;'—and probably a quarter of an hour afterwards casting on me an expressive look, he again said, 'I retract that expression.' I told him I thought I understood him distinctly on the subject he had communicated, and I presumed the will would explain itself fully. He replied in his peculiar way 'No, you don't understand it; I know you don't. Our laws are extremely particular on the subject of slaves:—a will may manumit them, but provision for their subsequent support requires that a declaration be made in the presence of a white witness; and it is requisite that the witness after hearing the declaration, should continue with the party and never lose sight of him until he is gone or dead. You are a good witness for John—you see the propriety and importance of your remaining with me, your patients must make allowances for your situation.' I saw and felt the force of the appeal. The interest of the scene increased every moment. I was now locked in a chamber with a dying statesman of no common order—one whose commanding talents and elevated political station, combined with great eccentricity of character, had spread his fame not only through his native land, but over Europe. He then said 'John told me this morning, master, you are dying.' I made no attempt to conceal my views. On the contrary, I assured him I would speak to him with entire candor on the occasion, and told him it had been rather a subject of surprise that he had continued so long. He now made his preparations to die. Between him and his faithful servant there appeared to be a complete understanding. He directed John to bring him his father's breast button, which was immediately produced. He then directed him to place it in the bosom of his shirt. It was an old fashioned, large size gold stud. John placed it in the button hole of the shirt bosom; but to fix it completely, required a hole on the opposite side. When this was announced to his master, he quickly said, 'get a knife and cut one.' I handed my penknife to John, who cut the hole and fixed the valuable relic to the satisfaction of the expiring patient—A napkin was also called for, and was placed by John over the breast of the patient. For a short time he lay perfectly quiet: his eyes were closed, and I concluded he was disposed to sleep. He suddenly roused from this state with the word, 'Remorse! remorse!' It was twice repeated; the last time at the top of his voice, evidently with great agitation. He cried out, 'let me see the word.' No reply followed, having learned enough of the character of my patient to ascertain that when I did not know *exactly* what to say, it was best to say nothing. He then exclaimed, 'Get a Dictionary, let me see the word.' I cast my eyes around and told him I believed there was none in the room. 'Write it down, then—let me see the word.' I picked up one of his cards from the table, 'Randolph of Roanoke,' and inquired whether I should write on that?—'Yes, nothing more proper;'—then with my pencil I wrote *remorse*. He took the card in his hand in a hurried manner, and fastened his eyes on it with great intensity. 'Write it on the back,' he exclaimed I did so, and handed it him again—He was excessively agitated at this period: he repeated, 'Remorse! You have no idea what it is: you can form no idea whatever; it has contributed to bring me to my present situation, but I have looked to the Lord Jesus Christ, and hope I have obtained pardon.' He then said, 'Now let John take your pencil and draw a line under the word;' which was accordingly done. I inquired what was to be done with the card? He replied, 'Put it in your pocket—take care of it—when I am dead, look at it.' The original is now in my possession.

"This was an impressive scene. All the plans of ambition, the honors and the wealth of this world had vanished as bubbles on the water. He knew and he felt that his very moments were few, and even they were numbered. It afforded his physician an opportunity, without being intrusive; of offering to him a few serious observations, and pointing the expiring statesman to a hope beyond the grave.

"My situation at this period, was serious and embarrassing. Locked in the chamber of a patient, and solemnly called upon as a witness confirming a will already made for the liberation and support of his slaves, when the only human ear that heard these declarations, except myself and the testator, was one of the very slaves included in the bequest, it required no unusual foresight to anticipate the construction that might be put upon such testimony; perhaps in a distant court where the witness might be personally known; when added to this, it was found he was a member of the religious society of Friends, who long since have washed their hands from the stain of slavery, and whose sentiments on that subject were universally known. I saw that even under a charitable construction of the testimony, the force of early impressions and the bias of education, might be supposed imperceptibly to influence even an upright mind, and give a coloring to words and facts, which to others differently educated, might be viewed in another light.

"Under these views, I introduced the subject of calling in some additional witnesses, and suggested sending down stairs for Edmund Badger, whose attentions were very great to him. He replied, 'I have already communicated that to him.' I stated it was my intention to be with him as much as possible until his death, but with his concurrence I would send for two young physicians who should remain, and never lose sight of him until he was dead, and to whom he could make the declaration. My son, Dr. Isaac Parrish, and my young friend and late pupil, Dr. Francis West, were proposed to him, saying that the latter was a brother of captain West. He quickly asked, 'captain West of the packet?' On receiving an affirmative reply, he said, 'Send for him—he is the man—I'll have him.' From some circumstances that had come to my knowledge, I had reason to believe that captain James West was a favorite with the patient. Before the door was unlocked, he pointed towards a bureau, and requested I would take from it a remuneration for my services. To this I promptly objected; informing him I should feel as though I were acting indelicately, in comply. He then waived the subject, by saying, 'In England it is always customary.' The witnesses were now sent for, and soon arrived. The dying man was propped up in bed, with pillows, nearly erect. Those only who knew his form and singular physiognomy, can form an idea of his appearance at this moment. Being extremely sensitive to cold, he had a blanket over his head and shoulders; and he directed John to place his hat on, over the blanket, which aided in keeping it close to his head. The hat bore evident marks of age, and was probably the one exposed to the pelting of the storm during his discomforts on the day of his arrival. With a countenance full of sorrow, John stood close to the bed-side of his dying master. The four witnesses, to wit: Edmund Badger, Dr. Francis West, my son, Dr. Isaac Parrish, and myself, were placed in a semi circle in full view. It was evidently an awfully interesting moment to the patient. He rallied all the expiring energies of mind and body to this last effort. His whole soul seemed concentrated in the act. His eyes flashed feeling and intelligence. Pointing towards us with his long, index finger, he addressed us: 'I confirm all the directions in my will respecting my slaves, and direct them to be enforced, particularly in regard to a provision for their support.' And then raising his arm as high as he could, he brought it down with his open hand on the shoulder of his favorite John, adding these words—'Especially for this man.' He then asked each of us whether we understood him. At the close of this exhausting effort, I remarked to my fellow witnesses, that my patient a short time before, informed me in private, that according to the laws of Virginia, a will might manumit slaves, yet in order for their subsequent support it was necessary that a declaration should be made in the presence of one or more white witnesses, who, after receiving it from the party, should remain and never lose sight of him until he was dead. I then appealed to the dying man to know whether I had stated it correctly; he replied, 'Yes'—and gracefully waiving his hand as a token of our dismission, he said, 'the young gentlemen will remain with me.' I took leave with an assurance that I would return as speedily as possible and remain with him.

After an absence of perhaps an hour or more, and about fifty minutes before his decease, I returned to his sick room; but now the scene was changed: his keen, penetrating eye had lost its expression, his powerful mind had given way, and he appeared totally incapable of giving any correct directions relative to his worldly concerns. To record what now took place, may not be required, farther than to say, that almost to the last moment, some of his eccentricities could be seen lingering about him. He had entered within 'the dark valley of the shadow of death,' and what was now passing in his chamber, was like the distant voice of words which fell in confusion on the ear. The farther this master spirit receded from human view, the sounds became less distinct, until they were finally lost in the deep recesses of the valley, and all that was mortal of Randolph of Roanoke, was hushed in death. In conclusion, perhaps it may be proper for me clearly and distinctly to state, that at the time he made the declarations in my presence, relative to his will, he was capable of discriminating correctly between thing and thing; and he also possessed tenacity of memory. Hence I give it as my decided belief, that he was of sound disposing mind and memory. Early in the afternoon of the day on which John Randolph died, it was concluded by the four witnesses to commit to writing the declarations which he had made according to their understanding of them. This I did, in a room contiguous to the one wherein he died, and where his corpse was then lying; and the original paper is now in my possession. JOS. PARRISH."

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞The regular business of the present REGISTER has been much deranged, by events in *Baltimore*—a full history of which is given; and many interesting, and important things have been omitted to make room for it. In the result—we think that property in this city will be more safe, than in others—the citizens seeing what they *ought* to do to defend it; and feeling a willingness to perform a duty which every man interested in its welfare owes to himself. But the tide of prosperity has received a check. A loss of many millions, to have been invested in new buildings, and other improvements, and in lots, must be submitted to—and with them a temporary diversion of trade, until, by our good conduct, a security shall be given for better behavior—*and in more respects than one.*

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We commence the publication of Mr. *Poindexter's* speech at the public dinner given to him, at Lexington, Ky. and shall finish it in our next so as to prevent a break when the volume is bound. And, in the following paper, insert that of Mr. *Benton*, at the public dinner given to him, at St. Louis. Mr. P's speech was in type—and happened to *fit* the best.

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There are some partial returns of the elections held in North Carolina, Kentucky and Indiana. But little of a definitive character is yet known—except that two members of congress have been chosen in North Carolina—one "White," the other "Van Buren;" and a whig, Mr. *Allan*, elected from Kentucky. We shall, in our next, probably, be able to give the results in the states named.

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The value of the products of our country is of a mighty amount. The annual aggregate is not less than *fifteen hundred* millions of dollars!

A writer in the Charleston Patriot, speaking of cotton, says—

The quantity which will be exported the present season, may be fairly estimated at 1,230,000 bales, of which the western states will probably export about 745,000. Now, if the average price assumed be 16 cents per pound, for all kinds, throughout the year, be admitted, the result would be a value of nearly 76 millions of dollars, which is six millions beyond our original estimate.

The probable crop of the western states will be about 745,000 bales, the average weight per bale, about 430 lbs. at 16 cents	$50,719,060
The probable crop of the Atlantic states will be about 485,000 bales, the average weight per bale, about 325 lbs. at 16 cents	25,220,000
	$75,939,060

The quantity consumed in the United States is about 200,000 bales, and the value of these, when manufactured, is more than forty millions of dollars. Our manufactures of cotton now embrace a great variety of goods—though so lately confined to "sheetings and shirtings and shirtings and sheetings." It now includes nearly all—nine-tenths, perhaps, of the calicoes, or printed goods, consumed, that cost 25 cents, or less; and will soon extend to such as cost 31 cents the yard, at retail—and here, perhaps, it will, for a while, stop—but not long: and it takes in a wide range of very *light* goods, as well as beverteens and other heavy and substantial articles for the use of working men, and others, who wish to clothe themselves cheaply—the prices of all which are very moderate. As to the light goods, in which it was supposed that we could not excel, we know a large establishment that uses only 1,000 lbs. of yarn, but makes from 7 to 8,000 square yards of cloth, weekly. Many great mills are building for the manufacture of cotton goods for the *British East Indies*, *China*, the *Phillippines*, &c. It is within bounds, we think, to say that, including machinery, buildings, &c. the cotton manufacture of the United States, in its *first circulation of values*, only, amounts to not less than fifty millions of dollars per annum.

The wool crop of the present year was probably worth twenty-five millions—and, as a general calculation, of its manufactures, about fifty millions. New York furnishes the largest supply of wool. There were 3,496,539 sheep in 1825—now, probably, 7,000,000! as will be soon ascertained, this being the year of the state census. Vermont has, perhaps, 1,500,000—and they are numerous in many of the eastern, middle and western states. The cash duty payable on woollens and more just valuation of the £ sterling, with improvements in the collection of them—the rise of price on British goods, and the use of newly invented American machinery, &c. have caused the manufacture of wool to be a "fair business." The range of woollen goods, as those of cotton, has been widely extended. For an instance, four-fifths of the carpets used, are "home made"—the duty on coarse wool being abolished. They are cheaper and better than the imported, and equally beautiful.

The manufactures of leather and iron, (not including the common smith work, as to the latter), are worth not less than eighty millions a year. But we shall not go into details, or even notice other great and valuable manufactures—just now.

A *new* business is making rapid strides to importance—the manufacture of *silk*. This will be, in five years, or less, worth from ten to twenty millions a year, and give a profitable employment to vast numbers of women and children, at their own homes. Already one gentleman has made preparations for feeding 5,000,000 worms, and many, a million. The reeling of the silk, and the weaving of it, have been much improved by "Yankee ingenuity," and will be more simplified. The power loom has been successfully applied to it.

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The "Maryland Republican" says—

We passed a farm in Harford county three weeks ago, the owner of which, a worthy industrious man, had toiled for half a life upon poor land, which promised, as most of our poor lands do, to entail a whole life of toil and penury upon its owner. A mere accident acquainted him with the fact a few months since, that the stones which his ploughshare had so often turned over in his fields, were, many of them, *lime stone*. It was better than discovering a gold mine. His farm already produces more than double, and with less labor. It begins to look like a garden instead of a desert. And he is rapidly becoming *wealthy* by furnishing to tracts within *hauling distance*, the material which is regenerating their soil also—and thus a considerable district of country is actually worth half as much more money than it was before his discovery. We have learned since that, of recent incidents nearly similar, in each of Baltimore, Frederick and Montgomery counties.

But it is the rich *marl* of the lower, and of the eastern shore counties of Maryland, that, in no very distant day will be found deposited, the inexhaustible sources of agricultural prosperity, that yet are but peeping, as it were, from their neglected deposites, and inviting the arm of enterprise and industry. Even the *granite* of our quarries has but just found the light.

Many of our farmers, unless of the western counties, seem to have expected a *spontaneous* production of good crops. This, it has been found, will not be the case—and they have begun to discover that, if they put nothing on the land, they cannot get any thing from it. The lands of Maryland, are, generally, of the class called "kind"—but have been unkindly used. There are within "hauling distance," or easy water communications, *every where*, the means of restoring the "worn-out" fields. In some places by *lime*, on others by *marl*, &c. which may be abundantly procured. The former has made Pennsylvania, and the western parts of Maryland, like a garden—the lands are kind, *and the proprietors use them kindly*. The sands of New Jersey are rendered highly productive by the use of marl—but though it is deposited at our doors, as it were, in Maryland, it is so partially used, that there cannot be said to be a *demand* for it, though offered at two cents per barrel, or less. Tobacco, and hard usage, have killed the principle of production, in many parts of Maryland—and means must be

used to restore it. There is a prospect that the cultivation of the *mulberry* will become extensive in certain parts of the state—and that it will do well cannot be doubted; but the practice is, rather to clear new lands than to *encourage* the old fields—and the result is such as might be expected!

—

William Gwynn Jones is *not* at large—as is stated in many papers. He has been bailed on the criminal offence, but is detained by claims for debt.

—

A Norfolk paper of the 10th has the following intelligence—but the Richmond papers do not mention it.

We learn by the arrival of the steamboat Kentucky last evening, from Richmond, that *Robinson*, the Englishman, mentioned in the Beacon of Saturday, as being in the vicinity of Lynchburg, was taken about fifteen miles from that town, and HANGED ON THE SPOT! We sincerely trust that ample evidence existed of the depth of his guilt; and if such were the case, it is but sheer justice that he who would visit the firesides of the unoffending citizens of the south with a more than Indian massacre, should have the bitter cup pressed to his own lips. Let this instance afford a warning to the fanatic of the prompt punishment which inevitably awaits him south of the Potomac.

—

Abolition society and the New York post office. The abolition society have held several meetings in Nassau street, on the subject of the recent events in South Carolina. After a long discussion on the subject, on the 8th instant, they passed a resolution declaring, peremptorily, that they would not abandon their right of transmitting, through the post office all such tracts and papers as they choose to flood over the country. This resolution they transmitted to S. Gouverneur, esq. the postmaster of this city; on the receipt of which, the postmaster immediately communicated to the postmaster general his intention, during the present state of the question, to set aside in his office all such abolition tracts, and refuse to send them by mail in any direction from New York, until he had positive instructions to the contrary from the government at Washington.

In the present state of excitement throughout the country, Mr. Gouverneur has boldly and fearlessly resumed the responsibility of this measure, and we have no doubt will carry it most effectually into operation, until he shall receive imperative orders from Washington of a contrary nature. In that event he will act as becomes a man, a patriot, and an American, who loves the union, and who will not put it in jeopardy by any course of his.

We learn that the abolition society threatens the postmaster with things unutterable. [*N. Y. Herald.*

—

The "Globe" says—

"A man named *Crandell*, said to be a brother of Miss Prudence Crandell, who teaches negroes in some of the eastern states, was taken up in Georgetown in this district, night before last, by the police officers of this city, and put in jail, under the charge of circulating Tappan, Garrison & Co's papers, encouraging the negroes to insurrection. Yesterday morning there was such a concourse of persons around the office where he was to have been tried, that it was thought prudent not to bring him out, for fear that he would be taken from the officers of justice. We are informed that it is the intention of the justices, as soon as the excitement has subsided a little, to go *before him in jail*, and there try him.

Those friendly to themselves and to humanity, will do well not to bring any of the company's papers this side of "Mason and Dixon's line." This is the opinion of a great majority here of those who are opposed to slavery."

Another person was also arrested, and committed. These things caused a great excitement, for two or three days. The city councils assembled, and took measures to preserve public order. On Wednesday night a general attack on the negroes, and the white men held in jail, was expected—but resulted in the burning of a single house—a house of ill-fame, a mile and a half distant from the City Hall, with all its furniture, &c. The city remained quiet on Thursday, and a sufficient number of the citizens were enrolled, it was hoped, to "*command the peace.*"

—

The bank of Kentucky has, we learn, agreed on the terms on which it is to take one million of the debt due to the branch of the U. States bank in Lexington, and is to take its banking house at $85,000. The debt is to bear interest at the rate of 5 per cent. and to be liquidated in one, two, three and four years. The arrangement will be advantageous to the banks, and highly beneficial to the community. It will be completed in a few days. The entire sum now due the branch there, is thirteen or fourteen hundred thousand dollars.

About four months ago the branch bank at Utica, having been ordered to be discontinued, commenced collecting. Its loans then amounted to $900,000. During the time which has elapsed, $820,000 of the money has been collected, and the funds, a large proportion of them, transferred to New York, and all without occasioning, so far as we have heard, any material inconvenience to the merchants of Utica. [*N. Y. paper.*

—

The N. Y. Morning Herald, of the 10th, says—

Last Saturday was one of the heaviest settling days we have seen for some time. The transactions of the week (at the brokers' board) were immense; probably nearly 10 millions of all sorts changed hands. For three or four days there was a continual fall. It is yet uncertain whether stocks will recover or not. They looked brighter at the close, but the causes of the fall are still in existence.

On the 1st September the law suppressing small bank notes goes into operation, both as respects the twos and ones. On that day the banks are not authorised to issue more twos, and ones are absolutely prohibited. Of this description of currency there were in circulation in December last, $2,254,865—probably now 3 millions. To supply this void will require at least an equal amount of specie. Now to this cause may partly be attributed the demand for specie at the banks, and the necessary curtailment of loans. The specie of many of the banks is slowly melting away in parcels of fifty, eighty or hundred dollars each. This added to the export, naturally keep the banks on the *qui vive*. It is also well known that they have been loaning to the full extent of the law. The doubtful position of the United States bank and the extraordinary increase of real business, necessarily beget caution as to stock or mortgage loans, for it is well known that any reaction in trade or the money market is felt first by stock and real estate operators. The capital of the former is raised on his stock—that of the latter by mortgages on his purchases. When a middling pressure but threatens the market, they go to pieces at once, like a China saucer dashed down the marble steps of the Exchange.

This will be a week of great interest, from the circumstance that no one can yet tell exactly what course the money market may take for the ensuing fall. Every thing is afloat.

—

The cholera has been very fatal at Gallatin, Ten.—fifty cases having proved so.

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From the "National Intelligencer" of Monday last—

We erred in supposing, as we did in our last, that the general election in the state of *North Carolina* took place *last* Thursday. *Next* Thursday, we understand, is the day.

In some of the counties, however, as already stated, the election was held, by special law, on Thursday before last. These include two congressional districts. In one of them, which we suppose to be the strongest Jackson Van Buren district south of the Potomac, *M. T. Hawkins* has been re-elected, by a majority of about 750 votes, (far less than we thought he would have obtained), over his opponent Mr. *Crudup*. Of the other of these districts a handbill, received by the last mail, furnishes the following account:

From the North Carolina Star, extra.

Raleigh, August 6.

Glorious news! The White banner waves in triumph!

The highly gratifying intelligence (received after this day's Star was put to press) contained in a letter from a gentleman of the first respectability, residing in the 3d congressional district, is fully confirmed by information received from other sources. Indeed, there is now no doubt that Mr. *Pettigrew*, the *White* candidate, is elected by upwards of 500 majority, over Dr. *Hall*, (*Van Buren*).

A highly respectable gentleman informs us, that the same district returns to the general assembly 14 *White* and 4 *Van Buren* men.

—

A terrific fire happened in New York, on the morning of the 12th inst. of which we have the following account in the *Commercial* of the afternoon of the same day.

It is our painful duty to record the melancholy effects of the most destructive conflagration, regarding the immense amount of property destroyed, and, the number of individuals thrown out of employment, with which our city has been visited for many years. It broke out soon after two o'clock this morning, in the lofty five-story building No. 115 Fulton street, and rapidly extended through to Ann street, sweeping almost every house in the entire block formed by Fulton, Ann, Nassau and Dutch —thence to the north side of Ann street, and through a large portion of the block formed by Ann, Nassau, William and Beekman—and destroying also several buildings on the south side of Fulton street, toward John. An immense amount of capital was invested in this portion of the city, in buildings, merchandise and implements of various trades and professions, and

there is probably no other space of equal extent in New York, in which so great a number of artizans were daily employed. There can be no doubt that upward of a thousand persons have been suddenly thrown out of employment by this calamitous event, and we have heard the number stated at more than fifteen hundred. Among them we are assured that between four and five hundred industrious women and girls are sufferers, who were employed chiefly in various departments of book binding, folding periodicals, &c.

The loss falls with peculiar severity upon editors and printers; the establishments of twelve or thirteen newspapers and periodicals are among those destroyed—upward of twenty printing offices, including some of the most extensive in the city, and many book binderies, in which a vast amount of business was done. Among the newspaper establishments destroyed are those of the Transcript, Jeffersonian, Morning Herald, Courier des Etats Unis, Spirit of Seventy-Six, Old Countryman, Christian Intelligencer, New Yorker, Catholic Diary, Protestant Vindicator and several others. The extensive printing office of Geo. P. Scott & company, in which the New York Mirror was printed, is also gone. In short, the loss is enormous. We understand that insurance to the amount of 200,000 dollars was effected on some of the buildings and other property destroyed, but that amount is undoubtly far short of the loss sustained. In one establishment alone, we are informed the stock was valued at $150,000. The great height of the buildings, most of which were of five or six stories, rendered the exertions of the firemen almost ineffectual.

But the most painful tidings are yet to be related; lives have been lost, to the number at least of four, and it is feared that others have also fallen victims. The names of the four whose fate is ascertained, are as follows:

David Carlisle, and Daniel D. Wyatt, printers, working for Mr. Turney, 115 Fulton street. They lodged in the fifth story of the building, and were both burnt to death.

Samuel Blanchard, master bookbinder; he lodged in the fourth story of the same building, and leaping from the window, was so dreadfully injured that he died in fifteen minutes.

The fourth was a colored man, name unknown; he was buried under the ruins of one of the fallen walls.

Besides these, Mr. E. B. Taylor, fireman of No. 40, was severely burned, as was also a member of No. 28, name believed to be Gaston.

Then follows a long list of buildings destroyed. The "American" says—

This fire, the most disastrous as to the amount of property destroyed, which has occurred here in many years, is still more disastrous to the mechanics of the city—who are, to the number of nearly 3,000 persons—men, women and children—thrown out of employ.

The buildings destroyed were most of them occupied, wholly, or in part, as work shops—and there cannot be fewer than 250 or 300 *printers*, and nearly twice as many persons employed in the book binderies of the other shops, we are entirely unable to speak of the numbers employed, it is however very great, and the suffering of those families which depend upon their daily labor must be very great, and it calls for the prompt and liberal aid of those who enjoy a competence.

One person, it is known, was killed by jumping from a fourth story window, and others, it is feared, have also fallen victims to the conflagration. Mr. Carlisle, an aged printer, is missing, and it is much feared that he was buried in the ruins.

The loss of property by this fire is variously estimated from $500,000 to 750,000.

From information in our possession, we are enabled to say that the amount of *insurance* in the different offices, does not vary much from $215,000.

A paper in the interior of New York speaking of Utica, calls it the "future capital of the state." If geographical position gives a claim to this distinction, the prophecy is likely to be fulfilled, for this prosperous town is situated as nearly in the centre of New York, as the irregularity of the empire state's territorial form will admit of.

INTERESTING FACT. General Harrison, says the Cincinnati Whig, in the course of his speech delivered at Lafayette, Indiana, during his last visit to that place, made the following remarks, by which we are put in possession of a very interesting fact.

"The idea was a happy one expressed by a distinguished citizen of our own country, in his address to the veteran Lafayette, 'that he had seen posterity.' That same good fortune said general H. was *his*. It would seem almost incredible that the speaker had at one time been the sole representative in the councils of the nation of the territory which now forms Ohio, Indiana, Illinois and Michigan—nay more that he had once been the chief executive officer of the region last named, with the addition of Missouri and Arkansas—of a territory extending from the warm climate where sugar and cotton are produced, to the cold country of the north where corn will scarcely grow."

AN INTERESTING CASE. The British brig Governor Temple arrived here a few days since from Demerara, bound to the River Gambia, in Africa. She put in here to procure some articles for her cargo. She is chartered by upwards of twenty natives of Africa, and their descendants, who were sold some twenty or thirty years ago as slaves in the colony of Demerara, and have since purchased their freedom, chartered this vessel, and are on their return to their native land to spend the remainder of their days. They are nearly all related to each other, and embrace both sexes, from childhood to the age of seventy. All appear well dressed, comfortable and industrious; some of them are mechanics, such as cabinet makers, coopers, &c. and have, besides earning a stipulated sum for their masters, earned a sufficiency to pay for their freedom. One of them paid thirteen hundred dollars for himself, wife and two children; another five hundred dollars for himself; and others in like proportion. They all appear happy, and anxious to get back to their native shore.

It is a subject of no small interest, and one that must cause the mind of every beholder to reflect, on seeing a group of Africans, who were stolen from their homes, transported in a slave ship, sold, and served thirty years in a foreign land and who, by their industry, have acquired a sum sufficient to purchase their freedom, chartered a vessel and return home. All the other ones still hold to the religion they were educated in, that of the *Mahometan* faith, and all on board except one (the captain) are blacks. [*N. Y. Daily Adv.*

FROM LIBERIA. The New York Journal of Commerce states that the brig Rover, at that port, left Liberia on the 16th May, having arrived there on the 24 from New Orleans, with 71 colored emigrants. They were generally in excellent health, both during the passage and after their arrival. There had been only one death among them, and that was by consumption. The name of the sufferer was Armisted Price. The greater portion of them had gone 15 miles up the river to Millsburgh, where they will remain until the rainy season is over. The health of the colony was excellent; and the colonists apparently contented and prosperous. The wars among the adjacent native tribes had been terminated—and a few days before the Rover's departure, 300 or 400 of them came into Liberia with camwood, &c. which they carried on their backs. Captain Outerbridge states that he saw nothing which looked like intemperance in the colony, and heard no profane language. Most of the colonists, he thinks, are members of the Temperance society.

CHENANGO CANAL LOAN. Yesterday was the day for opening the proposals for the Chenango canal loan of $500,000 by the commissioners of canal fund. The following offers were made for this loan, being 5 per cent. stock, reimbursable after 1845, viz:

Thomas W. Olcott, Richard Yates and Watts Sherman, a premium of 11 1-10 per cent. the money loaned to be deposited in the several banks for which the bid was made, and the banks to pay interest at the rate of 5 per cent. per annum for the deposites.

Prime, Ward & King, 8 per cent. premium for the whole loan.

J. I. Cohen, jr. & Brothers, Baltimore, 12 per cent. premium for the whole loan.

Harman Hendricks, 12 per cent. for $125,000, and to pay $74,000 in 7 per cent. Erie and Champlain canal stocks, at 24 per cent. premium, and the residue in cash.

The stock was awarded as follows, viz: To J. I. Cohen, jr. & Brothers, $400,000.

To Harman Hendricks, $100,000.

The premium on the whole loan amounts to the sum of 60,000 dollars. [*Albany Argus.*

INDIANA STATE LOANS. The loans of $600,000 advertised for by the state of Indiana, have been taken by Messrs. J. I. Cohen & Brothers, of Baltimore, as follows, viz: $400.000 bank loan, irredeemable for twenty years, at a premium of 4½ per cent. or $104 50 per $100 stock. $200.000 canal loan, irredeemable for twenty five years, and a part for thirty years, at a premium of five per cent. or $105 cash for $100 stock.

THE GOLD COINAGE. In the course of a lecture on metals at the royal institution, in London, professor Faraday stated the following curious particulars respecting the gold coinage. A small ingot of gold, (which he held in his hand, and which measured about ten inches in length by two in breadth), which weighed about twenty pounds troy, was worth £1,000. Last year, 1834, the coinage was somewhat smaller than the average amount; only half sovereigns were coined, and those to the value of £66.944, or in weight 1,433 pounds troy. The quantity of gold that had passed through the mint since the accession of queen Elizabeth to the throne, in the year 1558, to the end of last year, was 3.353.568 pounds weight troy. Of this, nearly one half was coined in the reign of George III—namely, 1.594,078 pounds troy. The value of the gold coined in the reign of that sovereign was £74.501,586. The total value of the gold coin issued from the mint since 1558. was $154,702,385. This gold, if made into cubic form, would measure on each side 13 feet 32 hundreds. It was extremely difficult to account for the constant loss in the quantity of gold; it continued to be

brought in great quantities every year into this country, and yet the value of it did not fall. It was true that population had greatly increased; but that was not alone sufficient for the increased consumption of gold. Between the years 1492 and 1823, the estimated value of the gold imported into Europe from the new world, was not less than £1,223,000,000. The average value of gold brought into England for the last few years, was £1,600,000 per annum. The far greater portion of this was used in manufactures and articles of jewelry. A considerable quantity was made into gold leaves, the intrinsic value of which was about one half penny; and the wages of labor and the profit of the manufacturer were an additional farthing, making altogether a charge of three farthings for each leaf. On the average, nearly two millions of these leaves were manufactured every week in London. Not more than one-half of this was returned in another shape to the goldsmith; scarcely any portion, however, of the gold used in gilding frames was lost, as the Jews carefully looked after the old frames, and burnt the gold off. The ordinary wear and tear of the gold coins probably amounted annually to about one-fiftieth part of their value.

American stocks, *London, July 2d.* New York 6 per cent. 1837, 96; New York 6 per cent. 1845, 111¼ a 112½; Pennsylvania 5 per cent. 101¾ a 104½; Ohio 6 per cent. 113 a 114; Louisiana, Baring's, 102½ a 103½; Mississippi new 9 per cent. 109 a 110; New Jersey canal &c. bonds, 105, U. S. bank shares, £23; Louisiana state bank shares, £26¼; bank of Louisiana, £27½; New Orleans city banking co. £22 10s a £25.

Census of Poughkeepsie. Mr. Jacobus Frear, marshal for this town, has completed the census of the village of Poughkeepsie. The population of the village is 6,343, of which 3,104 are males, and 3,239 females. In 1830, the population was 5,023. Increase 1,320.

The number of unmarried females in the village under 16 is 1,113; the number of aliens is 288; number of paupers 178; (the county poor house is in the corporation); number of colored persons 239, of whom 6 pay taxes, and 1 is entitled to vote.

The number of births in the corporation the last year was 225, of which 108 were males, and 117 females; the number of deaths for the same year 123, of which 66 were males, and 57 females.

The number of cattle in the corporation is 431; number of horses 394; number of swine 762; number of dogs 207, of which 11 are sluts.

New system of jurisprudence. The following mode of dispensing justice must be singularly convenient. It precludes the necessity of introducing any evidence on the part of the government, and must save a great deal of time and expense. If a man is innocent—let him prove it! What can be more simple?

The Leipsic Gazette contains a report of 23 trials of persons in 1834, accused of incendiarism, in the kingdom of Saxony. Among others is the following: The farmer S——, at Wendisch Lieppe, was suspected of having wilfully set fire to his barn, and condemned to be imprisoned in a house of correction until he should prove his innocence, with this reserve, that the imprisonment should not exceed 10 years. The tailor O——, at Brockwitz, was also suspected of having wilfully set fire to two houses that were burnt down in that place, and condemned to be imprisoned in a house of correction until he had exonerated himself from suspicion, nevertheless, the incarceration not to exceed the period of 5 years. Two other cases of the same kind are in the report.

MARSHALL MONUMENT.

At a meeting of the committee appointed by the bar of Philadelphia, on the 7th July, 1835, held at the law library room, on the 31st of the same month, *P. S. Duponceau*, esq. was appointed chairman, and *James C. Biddle*, esq. secretary.

The following resolutions were adopted:

Resolved, That a sub-committee be appointed to consist of five members, whose duty it shall be:

1. To proceed immediately to collect subscriptions for the monument, from the bar of Philadelphia;
2. To cause subscriptions to be collected from the bar of the other parts of Pennsylvania;
3. To promote subscriptions by the members of the bar throughout the United States;
4. To correspond with such committees and individual members of the profession throughout the United States as may be authorised or disposed to co-operate with us in the proposed object;
5. To confer on the part of the bar of Philadelphia, with such committees or individuals as may be appointed or authorised to confer with them on the subject of their appointment or matters connected therewith;
6. To adopt such other measures as may seem to them expedient and proper for furthering the contemplated purpose.

Resolved, That desiring to make the subscription as extensive as possible, and to avoid inconvenience to those who may be willing to unite with them, it is the wish of the committee that individual subscriptions should be moderate, and that the required amount may be made up by the number of contributors, rather than the magnitude of particular donations, so that the monument may truly be the work of the bar of the U. States, and an enduring evidence of their veneration for the memory of the illustrious deceased.

Resolved, That it is the desire of the bar of Philadelphia, that all who may contribute, shall have a voice in selecting the plan to be adopted, and at a suitable time arrangements will be made to give them an opportunity, by their delegates, to take a part in the selection.

Resolved, That before a plan can be adopted, it is necessary to know the extent of the means that will be furnished, and therefore, it is earnestly requested that subscriptions may be collected and forwarded with the utmost possible despatch.

Resolved, That Samuel Jaudon, esq. cashier of the bank of the United States, be the treasurer of the Marshall monument fund, to whom all moneys collected are to be forwarded.

Resolved, That we sincerely hope that our brethren throughout the United States will immediately and actively exert themselves, within their respective spheres, to collect and forward subscriptions, in such manner as may seem to them best.

Resolved, That the sub-committee be instructed to receive no subscription from any member of the bar of Philadelphia exceeding ten dollars, and to inform the members of the bar throughout the United States that this regulation has been adopted here.

Resolved, That the editors of the newspapers throughout the United States be requested to publish these proceedings.

The following gentlemen were appointed the sub-committee under the first resolution:

Mr. Duponceau, Mr. Binney,
Mr. Sergeant, Mr. Chauncey,
Mr. J. R. Ingersoll.

P. S. DUPONCEAU, *chairman.*

C. J. Biddle, *secretary.*

NARRATIVE OF EVENTS—IN BALTIMORE.

We shall endeavor to give a connected narrative of events that have happened in our city, and deprived us of the lofty reputation that we had earned by twenty-three years of *happy obedience to the law*—Baltimore having been, from the time of the war-riots of 1812, remarkable for the peaceable demeanor of its inhabitants, and the safety and security, and perfect quiet, of all its population. We were not entirely exempt from excitements, on several occasions—but they were "few and far between," and never proceeded to extremities, to the best of our recollection; though some occasions had happened in which the public patience was severely and *cruelly* tried.*

The *ostensible* ground of the late riots in Baltimore, was in the affairs of the bank of Maryland, though we believe that other things were more at the bottom of them; together with that *general* disposition to violence that prevails at so many places. We shall not pretend to account for it. Whether the effect is *periodical* or belongs to certain accidental causes—the foundations of which are deeply laid, to produce the elements of confusion and end their record in blood: and then, perchance, to be followed by a reaction that is peaceful and remarkably kind. But it requires a long time to regain lost character—and to repair the injuries inflicted in a single hour of misrule. We shall be again called "mob-town," and cannot deny that we deserve it. It is nothing that *other* places are equally guilty. It affords no excuse for us, that *worse* things have recently happened in other cities. We should have respected the law—even if of opinion that it shielded bad men; certainly knowing that it also protected the worthy, and was the source of the glorious prospects that had dawned on Baltimore. These are dimmed, and must remain so—while the things that have been proclaimed, *and performed*, are fresh in remembrance.

But to the narrative. The ground of the rioters, (judging by their primary actions), was in the affairs of the *bank of Maryland*—the history of which is that of one of the most stupendous and *general* frauds ever committed—bearing especially hard upon the industrious poor; induced, by an interest, allowed even upon *running* accounts, to make deposites in it. We saw, or thought that we saw, for six months before its failure, that a grand "blow up" was probable, from an evidently forced circulation of its

*Such as the immense losses, sustained some time ago, by the failure of the City bank, and the reduced value of the stock in others, as much as 25 per cent. in some cases; and within the last year the bankruptcy of the Susquehannah bank, the bank of Maryland, the Maryland savings institution, with the United States insurance company, and two or three other rag-shops. Taking the whole together, the people have been *plundered* of more than *two millions* of dollars—perhaps, three millions; they bore all this with astonishing meekness.

bills. It was the weakest bank in the city—but had more notes out than all the rest of the banks. We gave it, therefore, a "wide birth," and never held fifty dollars in its bills for 24 continuous hours. The "shop" was shut up in March 1834, and, though about seventeen months have elapsed, no satisfactory statement of its affairs has yet been laid before its creditors—being obstructed by the "law's delay," and other causes, that are not understood by the people at large. In the mean time, however, the late president of the bank, and others, have been battering one another by heavy pamphlets—with which the public were made weary, and disgusted. And, as we see quoted in the "National Gazette," (applied to another object), they were something like the orator of whom the Lacedemonians said—"we have forgotten the beginning of thy harangue, in consequence of which not having been able to understand the middle, we cannot reply to the end." But the creditors refrained, and bore these things as they ought—and the *citizens* remained quiet, though the loss of character effected by the miserable failure of the bank, affected the interests of the city much more than the amount of money that the creditors of the bank had lost.

On Monday the 3d inst. as mentioned in the last Register, another weighty pamphlet appeared—and this, with certain comments upon it by Mr. Poultney, are put forward as the cause of the riots that followed—for a "feverish" state was soon visible: but still we had no idea that events would be pursued to the extremities which they reached. Nor would they, (as we still believe), had prudent and proper measures been adopted, as the emergency required, at the beginning of our troubles.

On Thursday evening, the 6th inst. a small number of persons assembled opposite to the splendid residence of Mr. *Reverdy Johnson*, on Monument square. They dispersed, however, after breaking a few panes of glass, at the request of the mayor; who was induced, however, by the signs that appeared, to issue the following call for a public meeting:

Mayor's office, August 7, 1835.

In compliance with the wishes of a large number of my fellow citizens, I hereby request the citizens of Baltimore to assemble in TOWN MEETING, at the Exchange, at 4 o'clock this afternoon, for the purpose of adopting such measures as may be deemed proper to *insure* the preservation of the *public peace*.

JESSE HUNT, *mayor*.

And thus was given an importance and notoriety to the matter, which, many thought, did not belong to it. The meeting, however, was held, and the following proceedings took place:

TOWN MEETING.

At an unusually large and very respectable meeting of the citizens of Baltimore, convened by the mayor for the purpose of taking into consideration matters connected with the peace of the city, the honorable *Jesse Hunt* was appointed president, and S. C. Leakin, Wm. Krebs, C. O'Donnell, Dr. T. E. Bond and W. G. Read, esqs. were appointed vice presidents, and William H. Norris was appointed secretary.

On motion of J. G. Proud, esq. the five vice presidents were appointed a committee to report suitable resolutions for the consideration of the meeting. The committee, after having retired, reported the following, which were adopted:

1st. *Resolved*, That this meeting regards with the most profound regret and disapprobation, the recent attempts to create disturbance in our city.

2d. *Resolved*, That the spirit of violence which has been exhibited of late in different parts of the United States, is calculated to injure our country in the esteem of other nations—to annihilate her weight in the social system—and to excite the most serious alarm in the friends of free institutions.

3d. *Resolved*, That while popular excesses are, under despotic governments, sometimes justified, by the inveteracy of evils to which no other corrective can be applied, they are inexcusable in free states, where the people, being the sources of authority and dispensers of power, can easily remedy any defect in their legal systems.

4th. *Resolved*, That universal obedience to the laws is the only guaranty of republican liberty.

5th. *Resolved*, That we should especially deplore any demonstration of a contrary spirit in Baltimore, whose reviving prosperity it would seriously impair, while it would degrade her from her high moral stand among American cities.

6th. *Resolved*, That, in the opinion of this meeting, it is the duty of every friend of good order to co-operate with the civil authorities, in all such measures as may be deemed necessary for the maintenance of the public peace and the reputation of the city.

7th. *Resolved*, That it is recommended to the mayor to offer suitable rewards for the detection of persons who may be guilty of disseminating papers instigating the rash and the unthinking to a breach of the public peace.

8th. *Resolved*, That parents, guardians and masters, are respectfully requested to restrain those under their control from frequenting nightly assemblages.

On motion of James H. Thomas, esq. it was

Resolved, That, in the opinion of this meeting, it would promote the peace of the city, if the present trustees would relinquish the trust held by them, and transfer over to the creditors of the bank of Maryland the books and papers connected therewith.

The meeting then adjourned.

The motion of Mr. *Thomas*, as we understand, was passed by acclamation, and here it is proper to say that the trustees alluded to were *John B. Morris* and *R. W. Gill*, esqs. The first well known for his honorable adjustment of the affairs of the "City bank," which failed several years ago, (and of which he had been the sole trustee), and almost universally beloved—and the second a distinguished gentleman of the bar. Mr. *Thomas Ellicott*, the other trustee, had, long before, made known his willingness to relinquish his trust, and throw the whole concern into the hands of the creditors of the bank. But Messrs. Morris and Gill thought that they could not do so, without encountering a pecuniary responsibility that they were unwilling to meet—the best legal advice having been taken; nor were they satisfied that such was the wish of a majority of the creditors of the bank; and it would, therefore, appear like an abandonment of the just claimants upon the institution; but were exceedingly anxious to relieve themselves of the concern. And we had it from Mr. *Morris*, on Saturday the 8th, that he never refused access to the books to any creditor who was pleased to demand it, and he thought that this was all that he could rightfully, and, with a due regard to his own safety, do. Had this been generally known, we think that his property would not have been molested.* Mr. Gill was absent from the city, on some business at Annapolis, and had not any opportunity of being heard on the occasion, or of advising with his colleague.

To resume the narrative. On Friday evening, the 7th, the mayor was on the ground, in Monument Square, attended by the city bailiffs, the watchmen, and many citizens, for his support. The crowd was much larger than on the preceding night, and more panes of glass were broken. They were addressed by the mayor, and by gen. *W. Jones*, of Washington, who happened to be in the city. They were respectfully listened to, and the crowd dispersed at about 11 o'clock. But now the designs of the rioters began to develope themselves; and many of the citizens, attached to the mayor's party, having mixed with the crowd to learn what they could, stated that it was intended, on the following night, to make a serious attack on Mr. Johnson's house, and then, to finish, for the present, by attacking that of Mr. *John Glenn*, in Charles street. The events of that evening were, therefore, looked to with fearful anxiety. The following publications appeared on Saturday—

To the creditors of the bank of Maryland.

The committee of creditors of the bank of Maryland, desirous of promoting social order, and evincing their entire disapprobation of any measure tending to weaken a proper obedience and respect for the laws of the land, conceive it to be their duty to publish, for the information of those concerned, the following letter from general Walter Jones, of Washington city, which as it will be seen, is perfectly concurred in by the other counsel in the case. By order of the committee,

GEO. W. ANDREWS, *secretary*.

To Messrs. Chas. Gwinn, Jacob Rogers, Wm. Sappington, Geo. W. Andrews, Elijah Taylor, Andrew Ruff, William P. Preston, Henry Stump, Thomas Janvier, John Hall, John S. Gittings, William Rogers—committee of the creditors of the bank of Maryland.

Baltimore, August 8, 1835.

GENTLEMEN: Having been called on last evening, by the mayor of this city in his official capacity, to make a public statement, from my own information as one of the counsel for the creditors, of the present state and prospects of the suit, I complied with all the diffidence becoming a stranger accidentally present, but with all the obedience, to a call of duty, becoming a citizen equally solicitous for the preservation of public peace and order, as for the advancement of general and particular justice.

I was happy to find my address to the assembled citizens not only tolerated, but harkened to with an indulgence and atten-

*Judging by the *discriminations* made in other cases—such as saving the houses, but destroying the furniture, of the mayor and others.

tion from which I gain additional confidence in all my preconceived theories, that public opinion, and the popular will, need only correct information in order to be conducted to conclusions of equity and humanity. But as the explanations, which the occasion drew from me in the form of an oral address, must have been very partially heard, and of course indistinctly understood, I readily yield to the further call, now made on me to recapitulate them, for the satisfaction, as well of my particular clients, the creditors, as of those citizens generally, who take an interest in the controversy, and in the practical consequence likely to follow from its determination.

The specific object of the bills in equity filed by myself and the associate counsel on behalf of the creditors against the trustees of the bank, is to supersede the present trustees, and transfer the administration of the bank's assets from them to trustees appointed from among the body of creditors and approved by the chancellor; in the meantime, till this final relief can be obtained in the ordinary course of a chancery suit, to obtain a *summary order* from the chancellor, requiring the present trustees *immediately* to surrender all the remaining effects of the bank, with all the *books* and *papers*, to provisional *receivers*, appointed by the chancellor, and to prohibit the present trustees from further intermeddling in the affairs of the trust, till the suit can be finally decided on its merits.

The summary order not only ties the hands of the trustees for the present, but lays open all books and papers of the bank to free and full examination; so that, if upon such examination, any hitherto individual misconduct should be discovered by any of the former directors, the most efficient and expeditious measures may be instituted for insuring redress to the creditors, without the possibility of the present trustees, or their supposed advisers having the means, even if they could be suspected of the secret desire to suppress discovery, or impede the march of justice.

The chancellor appointed Tuesday last, for the hearing of our motion for this summary order, and we have made considerable progress in the discussion, when unfortunately for ourselves and the public, our worthy and excellent chancellor was suddenly taken ill, and we were obliged for the present to suspend the argument. The instant that the chancellor's health is sufficiently restored, (which every friend to public and private worth will join us in praying may be of speedy consummation), we shall resume the argument of the motion; and all who know the chancellor's habits of business, know that we may expect prompt and efficient action in the case, and a speedy decision.

Considering my relation in the court and the cause it would not be delicate for me to give out any public anticipations of what the decision either ought to be or will be; all I can say, with any professional propriety, on that subject is, that I have embarked in the cause with the firmest conviction of its justice, and with all the confidence in ultimate success, that becomes a man bound to submit his own opinions and judgments of the matter to the opinions and judgments of his legally constituted superiors, and to the determinations of legally contributed tribunals.

My confidence in the rectitude and ability of the tribunal is quite equal to that I feel in the goodness of my cause. In this community, I need only name chancellor Bland as the regularly constituted arbiter of this controversy, to satisfy every citizen that all that can be expected from a vigorous and intelligent administration of justice, and an upright, firm and independent magistrate, whose learning and experience are universally admitted, ought to be expected, and patiently waited for in this case.

As to the abstract propriety, or the practical effect, of any popular movement, or any manifestation of public indignation against persons suspected of standing in the way of justice in this case, I shall only say on the present occasion, that no such procedure can by any possibility, advance or benefit the cause, I shall only say, on the present occasion, that no such procedure can by any possibility, advance or benefit the cause; the only purpose that can by any possibility, be answered by such procedure, is mere *vengeance* on obnoxious individuals: they may be buried in the ruins of their houses, and yet the creditors remain just as they were, expecting justice, and speedy justice too from the tribunals of their country; after all the present trustees cannot be superseded—the books of the bank cannot be drawn from their present repository but through the judgment of the court; after all the retribution due from the obnoxious individuals to injured creditors cannot be obtained but by the same judgment.

Whether a magnanimous and free people should find any gratification in visiting helpless individuals overpowered by numbers, with irregular and tumultuary punishment, is not at this day to be argued; but, in a conscientious and moral view, how appalling, how shocking, the mere risk that such punishment may be inflicted on one condemned on suspicion, without a hearing, and who may be afterwards found innocent. It may not become me, however, to presume upon the indulgence of this community, by preaching the inestimable blessings of law and liberty, or the policy and duty of every true republican to preserve the principles of law and liberty, and the regular course of judicial justice, as inviolate in the persons of the suspected, or the guilty, as of the innocent. All, perhaps, that it becomes me on this occasion to say, should flow from my relations to, and zeal in your common cause now before the court; and, as a counsel deeply interested in that cause, I do say, that any irregular movement of its professing friends, to outstrip the orders of the law, in asserting or vindicating the justice of the cause will have a direct tendency to injure its substantial interests in the only quarter from which the creditors can ever hope to obtain redress. I am, gentlemen, your obedient servant. W. JONES.

As counsel for the creditors of the bank of Maryland, we concur in the statements and views above expressed by Mr Jones.

CHARLES F. MAYER.
WM. P. PRESTON.
HENRY STUMP.

To Jesse Hunt, esq.

SIR: I have received your letter communicating a resolution, passed at the town meeting yesterday, expressing the opinion that the peace of the city would be promoted by the delivery of the books and papers of the bank of Maryland to the creditors of that institution; and in reply consider it my duty to state, that the trustees have been commanded by Harford county court to produce said books and papers on the trial of civil and criminal prosecutions in said county court on Monday next, and that in obedience to said command, Mr. Thomas Ellicott, one of the said trustees, on Thursday last prepared a resolution, to which I assented, providing for the delivery of said books to that court. And I take this opportunity to state through you to our fellow citizens, that as I reluctantly consented to become one of said trustees, and have not at any time desired to continue in that office, I would cheerfully surrender the trust, whenever I can be effectually discharged of my responsibility.

As I understand that it has been reported, and may by many persons be believed, that access to said books has been denied to said creditors, I hand you the certificate of the secretary of their committee, which proves my willingness to exhibit said books to said committee. Respectfully yours,

JOHN B. MORRIS.

Baltimore, August 8, 1835.

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I certify, that whilst I was acting as secretary to the committee of the creditors of the bank of Maryland, (owning and representing as an original creditor $5,000), Mr. John S. Gittings stated to me that he was authorised by Mr. John B. Morris to say, that he would cheerfully meet Mr. William Rogers, Mr. Stump, Mr. George Rogers or myself, at the bank of Maryland, at any convenient hour, to examine any books or papers they might wish to see. GEO. W. ANDREWS.

Baltimore, August 8th, 1835.

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To the creditors of the bank of Maryland.

In consequence of the suggestion contained in one of the resolutions adopted at the large and respectable meeting at the Exchange yesterday, it has been stated to me that another announcement—that I am not only willing, but desirous to surrender the trust I hold of the books, papers funds and effects of the bank of Maryland, to the creditors—would be proper.

I had supposed that this fact was too well known to require repetition; but for the purpose of dispelling any doubts upon the subject, I now state that my answer has sometime since been filed in chancery to the bill of complaint of the creditors assenting to their wishes, as I have understood them.

The books and papers of the bank the trustees are bound under a subpœna duces tecum to produce at Harford county court on the 10th instant, and they are now in the hands of an officer for that purpose. THOMAS ELLICOTT,

one of the trustees.

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In chancery—Annapolis.

Andrew Ruff, et. al. creditors of the bank of Maryland, vs. the president, directors and Thomas Ellicott, J. B. Morris and Richard W. Gill, trustees.

The argument of this case commenced on Tuesday, the 4th instant, by appointment, before the chancellor of Maryland. The whole of the first day was taken up with reading the bill, answers and exhibits. On Wednesday, Mr. Preston opened the case in behalf the creditors, by explaining in a lucid manner, the various documents, &c. and closed at 2 o'clock, P. M. when the court adjourned till Thursday morning, when Mr. Mayer began the opening of the legal argument on the part of the complainants, which was concluded by Mr. Stump, at 3 o'clock, P. M.

Messrs. Gill and Johnson, counsel for the bank and trustees, were present, and intended replying on Friday morning, Mr. McMahon being absent, Mr Jones, of Washington, was present as counsel for the creditors, and was to have concluded the argument.

The chancellor, we are sorry to learn, was taken ill suddenly on Thursday night, and was unable to resume the bench on Friday morning, consequently the trial was postponed, to await his recovery.

The prayer of the bill filed by the creditors is, to remove Messrs. Morris and Gill from the trust, and have receivers appointed from the creditors; Mr. Ellicott, the other trustee, having voluntarily resigned his trust, at the request of the creditors, into the hands of the chancellor.

It is confidently expected, from the arguments and authorities produced, that the chancellor will remove the remaining trustees, and appoint receivers to take charge of the effects of the bank, with all its books and papers, which in this event, will be exposed to the examination of the creditors.

The argument will be resumed as soon as the chancellor's health will admit of it.

On Saturday afternoon, a meeting was held at the mayor's office, at which, according to an arrangement made in the morning, six hundred men were assigned as guards to prevent the entrance of persons into the square, to be supported by a mounted force. These were supplied with badges, or strips of muslin to be worn on the left arm, and with sticks of turned poplar, or some other light wood *They were too much for peace and not fitted for defence*—but the guards quickly repaired to the stations assigned them.

From the Patriot of Monday evening.

Our task to day is one of a most painful nature. It devolves upon us to record the scenes and outrages which have taken place in the city, since our last. In our paper of Saturday we gave a succinct account of all the proceedings in relation to the unprecedented tumults and outrages now going on in Baltimore, growing out of the affairs of the bank of Maryland. We now resume the thread of description, where we left it on Saturday, and will endeavor to give a statement of all the facts in the proceedings, so far as we have been able to ascertain them.

At about seven o'clock on Saturday night, the mayor, having previously called together a considerable number of citizens, it was agreed to station some hundreds of citizens, each provided with a staff or insignia of office, to guard every avenue leading to Reverdy Johnson's house in Monument square. About thirty of this guard were mounted on horses. By dark, multitudes of people had assembled. The principal point of concentration, at this time, was in Baltimore street at the intersection of North Calvert, which leads to the square. Here the crowd made frequent rushes upon the guard. Brickbats and stones were showered upon the guard like hail, and ultimately by the guard returned. A number of the latter were severely bruised and wounded. They however kept their posts. A large portion of the rioters, finding it impossible to get access to Johnson's house, started off to the house of John Glenn, in North Charles street, which was not guarded, and commenced throwing stones and missiles at the windows and front door. The house was of brick, strongly built, and the door was barricaded in anticipation of an attack. For a brief space of time the assailants were diverted from their assaults upon the house by a number of the mounted guard rushing down and firing upon them. The assailants, however, soon renewed their attacks upon the house, and after a continued effort of near half an hour, it was taken possession of, and all the furniture it contained was broken up, and thrown into the street, and utterly destroyed.

The work of demolition was renewed sometime during yesterday, by numbers of young men and boys, who got in and continued through the afternoon to break up the wood-work, and to beat down the jams of the outer wall. A portion of the front wall of the second and third story has been thrown down, and the house exhibits the appearance of a wreck.

The guard stationed in different parts of the city, finding themselves so severely attacked, armed with muskets. At about one o'clock on Sunday morning, a company of some twenty-five, or perhaps thirty armed citizens, marched against the rioters, in Charles street. They were received with a shower of stones, and in return fired into the crowd they opposed. They loaded and fired, we understand, there, several times. The police and guard also fired upon their assailants at their several stations, a number of times. It is supposed that in all there were eight or ten persons killed and dangerously wounded. A much larger number were less severely wounded. It is impossible to ascertain at this time, how many, and who, have been killed. Some of the mortally wounded have since died.

Last night, (Sunday) at dark, the attack was renewed upon Reverdy Johnson's house. *There was now no opposition.* It was supposed, that several thousand people were spectators of the scene. The house was soon entered, and its furniture, a very extensive law library, and all its contents, were cast forth, and a bonfire made of them in front of the house. The whole interior of the house was torn out and cast upon the burning pile. The marble portico in front, and a great portion of the front wall were torn down by about 11 o'clock. Previous to this, however, an attack was commenced upon the house of John B. Morris, in South street, one of the trustees of the bank of Maryland. His dwelling was entered and cleared—and the furniture and other contents piled up in the street and burnt. In the course of the proceedings, the house took fire inside, as R. Johnson's was also near doing, from the bonfire near it. In both instances, the engines were brought promptly to the spot, and the fire put out, so that the neighboring dwellings should not suffer.

From John B. Morris' house they proceeded to that of the mayor of the city, Jesse Hunt, esq. broke it open, took out the furniture, and burnt it before the door. They also destroyed the furniture of Evan T. Ellicott, and much injured his dwelling, in Pratt street. They proceeded to the new house of Hugh McElderry, in North Calvert street, now finishing, broke the front windows, entered the door, and began to destroy the house, when the builder appeared and stated that as it was not finished, the key had not been given up, and that all the injury it might sustain would fall upon him, and thus complete his ruin. Upon this assurance, they desisted and retired. They were directors, it will be recollected, of the bank of Maryland.

They also attacked capt. Willey's hardware store, in Franklin street, and commenced destroying its contents, but desisted at the urgent solicitations of Mr. Lynch, who assured them that he and not Mr. W. was the owner, and that capt. Willey had left town.

The house of Dr. Hintze was assailed; but his lady making her appearance, and declaring that the property was her own, she having received it from her father's estate—they listened to her appeal and departed without doing any injury.

Capt. Bentzinger's house was also attacked, and all his furniture destroyed. This, as well as the attack on capt. Willey and Dr. Hihtze, was because of their opposition to the rioters; and, we are told, that more than 30 others were marked, on the same account. Among them the sheriff.

The very valuable libraries of Mr. Johnson and Mr. Glenn were destroyed, worth many thousand dollars, each. All their stock of wines, and many other valuable articles, fell a prey to the crowd, and were offered for sale, at small prices!

The "Gazette" says—

The different stations where guards were posted to prevent access to the square were all more or less frequently the scene of alarm and contention, and with the discharge of fire arms, the shouts of the multitude, and the rapid passage of the horsemen, the night had a truly fearful aspect. The watch house on North street, the receptacle for the prisoners, was the scene of incessant din and commotion; during one of the latter, which occurred about two in the morning, a man was badly shot with a pistol. At day break on Sunday morning, the prisoners, fifty-five in number, were conveyed to jail.

Several of the assailants, it is believed, have received fatal wounds, and there are various reports afloat of lives lost, but it is impossible to ascertain to what extent they are true.

On Sunday the power of the city was in strange hands. The following address from the mayor was posted—

Mayor's office, Baltimore, Aug. 9, 1835.

Once more I appeal to my fellow citizens, to stay the progress of violence, and prevent a repetition of the lamentable events of the last night. Called by your free suffrages to the mayoralty of your city, and charged by you with the preservation of its order, I have throughout my whole official career, and up to the present moment, labored, unceasingly to promote that object, by the FORCE OF REASON and THE UNARMED HAND OF LAW. I have deeply deplored the disregard with which my earnest appeals have been met, and the resort to deadly weapons, AGAINST MY JUDGMENT AND ADVICE, has been unfortunately taken.

It remains for the prudent, the pacific, the lovers of good order, those who would not expose the property of the city to pillage, to arouse before it is too late, and restore to us our recent boasted tranquillity, and its accompanying happiness and prosperity. And in furtherance of this most valuable end, I earnestly entreat the orderly and well disposed, except such as may be engaged in aiding the civil authority, to remain at home, and prevent the younger members of their family from resorting to tumultuary assemblages. JESSE HUNT, *mayor.*

Which he thus explains on Monday—

Mayor's office, Baltimore, Aug. 10th.

Having stated in a publication of yesterday, in reference to the melancholy occurrences of the past nights, that fire arms were resorted to against my judgment and advice, and having learned with extreme pain that the language used by me has induced some persons to suppose that the use of fire arms was entirely unauthorised by any competent power. I deem it an imperative act of justice, at the first moment of being informed of the interpretation which I supposed this part of my publication of yesterday might bear, distinctly to state that the persons who used fire arms were fully authorised so to do, but again repeat that the order was not issued by me.

JESSE HUNT, *mayor.*

And thus was the city yielded; and, in consequence, the prisoners made on Sunday morning, were released—*as they, certainly, would have been on Sunday night, by their colleagues.*

On Sunday, the people, *without a head,* had nothing to do but to look on and tremble. No one felt himself safe—as every thing was given up. Anarchy prevailed. The law and its officers were away!

But Monday morning changed the aspect of things.—It now appeared that the people were called upon to defend, not only their property, but also their lives—and it was manifest that there was a general, but gloomy, resolution entertained to do both. Things had reverted to their *original elements—there was no law,* and a head was wanted to bring order out of confusion. This was easily found in gen. *Samuel Smith*—who being elected chairman by a great assemblage, at the Exchange, accepted the trust reposed in him, and, with the alacrity of youth, though in his 83d year, took his seat, and told

the assembly that the time for resolving had passed away, and that for action had arrived. The flag of the union had been previously raised, and, with it at their head, the people marched to the Park, when being addressed briefly by general *Smith* and others, and told what they ought to do, they speedily retired to prepare themselves instantly to obey. The orders were *to arm*, and to repair to the City Hall. The fire companies were also called out, and appeared on the ground in great force. In the mean time the city councils had met and the following proceedings took place—

Proceedings of the first branch, Monday, Aug. 10.

The first branch of the city council met pursuant to a summons from the mayor.

Present all the members except Messrs. Ross, Fenby and Tyson.

On motion of Mr. Scott, it was resolved, That a message should be sent to the mayor, stating that the branch was ready to receive any communication which he might have to make; and appointing on their part Messrs. Scott and Dryden. The second branch assented, and appointed on their part Mr. Carroll.

Mr. Scott, from the joint committee above stated, reported that they had performed the duty assigned them, and that the mayor would, in a short time, make a verbal communication, which he did by addressing the council—after which Mr. Scott moved that a message be sent to the second branch, proposing a joint committee be appointed to take into consideration the mayor's communication, appointing on the part of this branch Messrs. Scott, Myers, Ridgely, Steuart, Gardner, Ball and Seidenstricker. The second branch assented, and appointed on their part Messrs. Carroll, Stuart, Reany and Smith.

Mr. Scott from the said committee, submitted the following report, which was read a first, and by special order the second time, and concurred in. It was also concurred in by the second branch.

The joint committee of both branches of the city council of Baltimore, to whom was referred the communication of the mayor, take leave to

REPORT:

That they recommend an appeal to the good sense of this community, and present an address to that effect as a part of this report. They also recommend that the same be signed by the mayor and the presidents of the first and second branches—printed and circulated forthwith. Which is respectfully submitted.

John Scott, *Henry Myers,* *Jos. L. Ridgely,* *Jno. M. Steuart,* *George Gardner,* *Walter Ball,* *J. B. Seidenstricker,*	committee of 1st branch.
James Carroll, *Wm. Reany,* *D. Stuart,* *Jacob Smith*	committee of 2d branch.

THE MAYOR AND CITY COUNCIL TO THE PEOPLE OF BALTIMORE.

We feel ourselves bound to address you on the subject of the unhappy disturbances of the public peace. It is entitled to your consideration. Can you peruse it, without yielding to the lawfully constituted authorities of your city your attention and zealous co-operation? Does not every citizen look with painful emotions upon the melancholy events which have transpired, which have insulted the dignity, sported with the happiness, subverted the peace, and defamed the fair character of our city?

Citizens of Baltimore! we appeal to your known sense of public right; to your known submission to the supremacy of law, to unite with us in every peaceful effort to restore public tranquillity, and we earnestly exhort you to maintain it.

Let not curiosity carry any to public and tumultuous meetings, lest the guilty be confounded with the innocent. We entreat all good men to remain at home, unless called upon to aid the civil authority.

The laws must prevail, else there can be no security to life or property, and the countenance of further violence must reach in its consequences the guilty and innocent alike.

In vain shall we have inherited the sacred liberties transmitted to us by our forefathers; in vain shall we claim a rank among the civilized nations of the earth; in vain shall we live, if the civil authorities be trampled under foot and the wildest passions of human nature be substituted for peace and order.

Let the representatives of the people not then appeal in vain to their sound judgment and intelligence. We invoke the whole community to unite with us in every pacific effort to restore tranquillity to the city, and the supremacy of the laws of the land.

On motion of Mr. Myers, a message was sent to the second branch, proposing that when the councils adjourn this afternoon, they adjourn until Tuesday morning at 10 o'clock—the second branch assented thereto, and the branch adjourned accordingly.

The mayor having retired from his seat, (which he formally resigned next day), the president of the first branch of the council, gen. Anthony Miltenberger, *ex officio*, took his place; and, aided by gen. Smith, issued the necessary orders. Even the middle district watch, (through the scene of the riots) we believe, had not been set on the preceding night! Such was the confusion that prevailed.

On Monday evening a large display of citizens, in arms, attended at the mayor's office; they were stationed in different parts of the city, with the firemen, ready also for action, and peace prevailed during the night. The streets were as quiet as the grave—except in the heavy tread of detachments of armed men to reconnoitre its different parts.

On Tuesday, the 11th, the following were published—

Mayor's office, August 11, 1835.

The mayor of the city offers his hearty congratulations to the people of Baltimore, upon the tranquillity which prevailed during the past night, and assures them that the permanent restoration of order is now certain, if a continuance of the same exertions should be made, of which he does not entertain a doubt. He begs leave to return the thanks of the civil authorities to the firemen who so promptly and handsomely tendered their services yesterday, and requests them to assemble again on *this* evening, at 6 o'clock, at their respective places of rendezvous, prepared to repeat for the night, the duty which they have already so successfully performed. To the officers, soldiers and volunteer citizens, he respectfully tenders, on behalf of the community, his sincere and profound acknowledgments for the spirited manner in which they appeared and secured the public peace; referring them to the printed division orders, issued by the major general, for their future guidance.

A. MILTENBERGER, *mayor.*

To the citizens of Baltimore.

Fellow citizens: A fearful crisis has arisen in our affairs, which calls for the exertion of our most determined energies. The character and prosperity of our city—the security of our property—the safety of our persons are jeopardised by a body of excited and deluded men.

The spread and progress of this deadly evil must be stayed—existing disorders must be repressed, and this reign of terror subverted, or our city is irretrievably lost.

Upon you, my fellow citizens, the sacred duty of maintaining the supremacy of the law and the sanctity of our homes is devolved. It cannot be reposed in safer hands. Every motive which can address itself to you, as men and citizens, appeals to you for its faithful and fearless discharge. I have every confidence that this appeal will not prove fruitless and vain.

To render effective your exertions in maintenance of the public peace, requires *concert of action*, and to this end, *organization*. To secure this I have labored and am laboring—nothing on my part shall be left undone, which may be calculated to promote it. I call upon you, my fellow citizens, to aid me in this important purpose. Enroll yourselves in your ward associations. Confer freely with the friends of good order in every part of the city, and unite your counsels with theirs for the vindication of the wholesome and salutary sway of the law.

To afford time for a free interchange of opinion, and opportunity for improved and effective organization, I respectfully suggest to citizens engaged in every branch of business, to close their stores, work shops and offices, every day at six o'clock, P. M. until the reign of order shall be restored, and our beloved city redeemed from the misrule under which it has unhappily fallen.

A. MILTENBERGER, *mayor of Baltimore.*

THIRD DIVISION OF MARYLAND MILITIA.

Head quarters, City Hall, August 11th, 1835.

The major general of this division of the Maryland militia having received a requisition from the civil authority to call out such part of the military force under his command, as he might deem sufficient to preserve the public peace, immediately appealed to his fellow citizens for that aid, and it is with great pleasure he announces that they promptly volunteered in such numbers as to assure the public tranquillity, and to give this community the most gratifying evidence that kind feelings and good order are restored throughout the city.

The officers and men of the third division will parade this day at 5 o'clock, P. M. and report themselves to head quarters, as also the volunteer citizens who so patriotically enrolled themselves and did duty on yesterday; but if their services should be wanted at an earlier hour, they will assemble and repair to head quarters at the discharge of three cannon, to be fired in succession.

JOHN SPEAR SMITH, *major general.*

Baltimore, August 11th, 1835.

Agreeably to division orders issued by major general John S. Smith, the cavalry regiment, M. M. will parade *this evening*, at 5 o'clock, in undress, with side arms and pistols, and provided with 12 rounds of ball cartridges.

HENRY MYERS,
lieut. col. 5th C. regt. M. M.

The "American" of Wednesday, says—

Order is restored in our city. Roused by the excesses committed on Saturday and Sunday, the citizens turned out on Monday, and under the direction and authority of the mayor and council were organized in armed bodies for the protection of their lives and property. From fifteen hundred to two thousand, independently of the fire companies, were under arms all Monday night. No attempt was made to continue the lawless

proceedings of the two preceding evenings. The supremacy of the law is fully reasserted, and confidence completely re-established.

On Monday morning a feeling of indignation spread through the community at the sight of the devastations which had been committed the night before, and at the threats of further violence. A town meeting was called. Our venerable fellow citizen, general *Samuel Smith*, presided, and a call was made upon all such inhabitants as valued their rights and were disposed to protect them, to meet at noon in Howard's Park. Here, accordingly, a large concourse assembled, and marched in order to the mayor's office. General *Smith* made to the assemblage a spirited appeal, the more impressive from the character of the speaker, who, after a half century of public service, now came forward in his eighty-third year to lead his townsmen in their determination to vindicate the authority of the law and defend their persons and property. The multitude assembled were requested to organize themselves in their respective wards, and reassemble at the City Hall at six o'clock. This was efficiently done, and before night the various bodies were well armed and distributed over the city, through which they patrolled during the whole night.

Regrets for what is passed are idle. The town has learnt a lesson from the doings of the last few days that will never be forgotten. Feelings which should ever animate the governing power, particularly in a republic—a willingness to preserve peace by peaceful means and a reluctance to proceed to the last extremity, fatally misled the city authorities last week. These dispositions diverted them from the adoption of the only means of effecting their object. Had the force which volunteered on Saturday to keep the peace, been, as it was on Monday, organised as an armed force, not only would the designs of the violently disposed have been frustrated, but bloodshed would certainly have been frustrated, but bloodshed would certainly have been prevented. Such a manifestation of power and resolution would have deterred them, and preserved the city from the horrors of the last few days.

The following will shew the state of the times—

Fellow citizens—let us pause!

Last night we have nobly shown what robbers are to expect at the hands of Baltimoreans, but let us stop now and give them a chance once more to make restitution, and if they can to justify themselves.

For this purpose, let US in general town meeting, on Wednesday next (to give all concerned time to appear) of which hour and place will be published in the daily papers, appoint five respectable citizens, and THEY five more, to examine all the affairs of the bank of Maryland, and on their verdict let their innocence or guilt rest. IF innocent we have done them WRONG—if GUILTY, and they do not make restitution to the widow and orphan to the FULL EXTENT of their means, let us visit them with the just indignation of an injured community. But fellow citizens you are beseeched not to proceed further at present, out of respect to your characters as good men, but to afford, in mercy to the guilty, once more a chance to turn from the evil of their ways. It will be doing as we would be done by. More need not be said.

ONE OF THE PEOPLE.

Sunday evening, Aug. 9.

A CARD.

☞Doctor *Bond* has been informed that a report has been put in circulation that he fired a musket on Saturday night. I deem it only necessary to state that I have not fired a gun of any description for twenty-five years. After the resignation of Mr. Read, who had been appointed to the command of the constabulary guard placed at the junction of Fayette and St. Paul's streets, I accepted the command at the request of the mayor, who assigned as a reason for making the request, that from my age and character, he could better depend upon my discretion and prudence than upon that of any other person who was at hand. That this confidence was not misplaced is proved by the fact, that no injury was done by fire arms at that point.

August 10.

A CARD.

I think it necessary to publish the following certificate, to correct certain misrepresentations which have been circulated in regard to my conduct. LEON DYER.

Being present last evening, (Sunday, 9th August, 1835) at the house said to be owned by Hugh McElderry, in Calvert street, adjoining that occupied by Mr. Carter A. Hall, at the moment when a crowd of persons assembled, as was understood, for the purpose of demolishing said house, we take pleasure in saying, that through the instrumentality and exertion made use of by Mr. Leon Dyer, the collection of persons were made satisfied that the house did not belong to Mr. McElderry, and that the course intended to be pursued was desisted from, and the crowd dispersed or went off. We further declare as our opinion, that it was at the imminent peril of life that Mr. Dyer stepped forward, and through his sole persuasion violence was prevented.

A. L. MOORE,
W. COWLES,
GEORGE NEILSON,
C. A. HALL,
W. BROMWELL,
SAMUEL K. GEORGE.

From the "American," of Wednesday—

Notwithstanding the inclemency of the weather yesterday evening, the requisition of major general Smith was responded to with alacrity by large numbers of citizens, who repaired to the City Hall and received arms and ammunition. Several new corps of citizen soldiers were formed and officered, and additional numbers were enrolled in those organized on the preceding day. A number of the volunteer corps also reported themselves for duty. Additional supplies of arms were received at head quarters yesterday.

At ten o'clock last night perfect tranquillity pervaded every part of the city. [And so remained all night.]

☞A body of about one hundred United States regular troops reached this city last night from Washington, by the rail road. A corps of United States regulars from Fort Severn, Annapolis, is also reported to have arrived last night.

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Four of the convicts confined in the penitentiary made an abortive effort to escape yesterday morning. During the prevalence of a heavy shower, the workmen who were employed in the erection of a shop in the yard retired under a shelter, and the occasion was promptly improved by the convicts in question to remove the builder's ladder to the yard wall, about midway between the centry boxes. They immediately mounted it, and three of them escaped over the wall, without hurt from the fire of the guards. The fourth was shot in the leg, and fell back into the yard. The alarm was immediately given, and Mr. James Lerew, who lives in the neighborhood, made pursuit after one of the convicts whom he saw running across an adjacent field. Lerew soon overtook him, when the convict drew a knife and threatened to kill him if he molested his flight. Nothing daunted by the threat or weapon, Mr. L. advanced and knocked him down with his fist, wrenched the knife from him, and held him there until persons came to his assistance, and the convict was secured.

A short time afterwards a boy came to Mr. L. and told him that he suspected one of the escaped convicts had secreted himself in a neighboring out house. He immediately took his gun, broke open the door of the house, and found that the information was correct. With the aid of his youthful companion, this convict was also secured and returned to the penitentiary. The fourth convict was not taken for upwards of two hours afterwards, and in the manner in which he was detected is not a little singular. One of the deputy keepers, Mr. John Brown, whose residence is on the falls some distance north of the penitentiary, after having been actively engaged in a fruitless search, went home for the purpose of changing his wet clothing. When he was about completing the change, his daughter pointed his attention to the circumstance of the falling of soot down the chimney. He directed her to run into the yard and watch the top of the chimney, when she immediately announced that the very object of his pursuit had just emerged from the chimney top, and was making his way into the yard. The keeper, it is not necessary to say, needed no second call, and in a moment the convict was in his grasp and secured. On his way back to the penitentiary he jocosely remarked to the deputy that after having so very nearly effected his escape, it was a most unlucky mischance to "run right into the bear's nest."

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From the *Gazette*, of Wednesday evening—

War department, August 11th, 1835.

SIR: Upon the requisition of the executive of Maryland, the companies of United States troops at fort Washington and Annapolis, have been ordered to Fort McHenry, there to remain subject to the call of the civil authorities of Baltimore to aid in preserving the peace of the city.

The letter of the governor has been forwarded to the president at the Rip Raps, that he may, if he deem it proper, order some of the companies of troops from Fort Monroe, also to join the troops at Fort McHenry.

It is hoped that these measures will contribute to the restoration of peace and order. Very respectfully, your obedient servant, C. A. HARRIS,
Acting secretary of war.

To the mayor of Baltimore, Maryland.

—

Mayor's office, Baltimore, August 12th.

The mayor of the city has the pleasure to again congratulate the people of Baltimore, upon the continued tranquillity which prevailed during the past night. I again request the firemen to assemble this evening as heretofore, and render their valuable services in aid of the military in preserving the peace of the city. A. MILTENBERGER, *mayor.*

—

TO THE PUBLIC—TENTH WARD.*

Resolved, That we of the 10th ward, will agree with the majority of our citizens in general, to aid in the present crisis, to suppress the aspect of affairs.

But as a further view of our opinions, we herewith submit a series of resolutions—

Resolved, That the citizens of the 10th ward in ward meeting, assembled, to deliberate upon what was best to be done to preserve the peace of the ward in this alarming crisis, and the city in general, do most sincerely regret and deprecate the murderous transactions which took place on Saturday evening

*This meeting is said to have consisted of only twelve persons. It reminds us of *other* meetings that have been lately held—to express the "voice of the people."

last, through the mismanagement and misconduct of a few ignorant and impassioned young men.

Resolved, That the citizens of the tenth ward view with sorrow and regret the destruction of property to such an alarming extent.

Resolved, That this ward do most earnestly beg and entreat those persons who have been concerned in the destruction of the property of the city, for the peace of the city, for the peace and protection of our wives and families, to desist—and to show by their magnanimity that they are willing to restore order.

Resolved, That this ward view with disgust the late transactions in the concerns of the bank of Maryland, and some other banking and moneyed institutions, and do most earnestly desire and recommend that the persons who were concerned in those transactions, be *requested to quit the city forever*.

Resolved, That it is the opinion of this meeting that John B. Morris and Richard W. Gill, have no right to withhold the books of the bank of Maryland from the rightful creditors of the bank.

Resolved, That it is the request of this ward that those persons give them up to the creditors.

Resolved, That it is the opinion of all present, that Reverdy Johnson has been acting both an ungentlemanly and dishonorable part in that transaction, by advocating the retention of those books into the hands of the trustees; and should be driven out of town if he should ever have the presumption to come into it. SAMUEL MASS, *chairman*.

JOHN C. RAU, *secretary*.

☞*A card.* The resolutions passed at the meeting of the citizens of the tenth ward, where my name appears as secretary, were not of my origin, nor approved by me, except the first.

JOHN C. RAU.

[Samuel Mass, by "a turn of fortune's wheel," was president of the executive council of the state of Maryland, last year. For the preceding placard, he has been held to bail in a large sum—4,000. The secretary of the meeting was held in the same amount. Many arrests were made during the day—of persons for whom bail was not offered, or refused, and they were committed].

A CARD.

☞An evening paper having thought proper to publish a series of resolutions, passed by certain citizens of the tenth ward, assembled without distinction of parties, after the recent melancholy and deplorable events had occurred, with remarks calculated to reflect on the undersigned, he deems it due to himself and the public, to request a suspension of opinion upon the subject, as the matter referred to is in a train of investigation before the judicial tribunals of the country, where, he presumes, full and fair investigation will be had. He deprecates, in the mean time, any attempt to forestall public sentiment upon the subject. SAM'L MASS.

August 13.

CITY COUNCIL.

Proceedings of the first branch, August 12.

On motion of Mr. Lee, Mr. Millholland took the chair.

On motion of Mr. Scott, the branch proceeded to elect a president pro tem. Messrs. Child and Chalmers being appointed tellers, after counting the votes it appeared Mr. Millholland was duly elected.

Mr. Scott offered the following which were read the first time:

Resolved, by both branches of the city council of Baltimore, That we cordially approve the energetic and decided efforts which have been made to put down the disgraceful riots which have disturbed our city and destroyed the peace and quiet of the community.

Resolved, That we will unite our efforts with those of our fellow citizens who have come forward to sustain and enforce the majesty of the law, and to restore peace.

Resolved, That we tender our thanks to the mayor, to general Smith, to gen. John Spear Smith, gen. Leaken, gen. Steuart, cols. Howard, Myers, Finley, Dutton and Glass, and our other fellow citizens, for the efforts which they have already made to restore and sustain the majesty of the laws—and we request a continuance of those efforts, and of their active co-operation, until quiet is restored to our late peaceable community.

Resolved, That a copy of these resolutions, signed by the presidents of both branches, be communicated to the mayor, and to each of those gentlemen herein before mentioned, and that they be also published in all the daily newspapers published in this city.

Mr. Ball moved the branch now adjourn which was dissented from by the following vote, the yeas and nays being called for by Mr. Scott.

Yeas—Messrs. Sanders, Seidenstricker, Chalmers, George, Ball, Peregoy—6.

Nays—Messrs. President, Fenby, Stran, Stansbury, Child, Myers, Tensfield, Scott, Gardner, Fosbenner, Dryden, Tyson, Lee—13.

The resolutions were then ordered to a second reading.

Mr. Seidenstricker offered the following as an amendment:

Amendment proposed to 2d resolution:

Strike out in the 2d line, the words "the mayor," and insert "Jesse Hunt, late mayor, to Anthony Miltenberger, mayor of the city."

And moved that the whole be laid on the table, which was dissented from by the following vote, the yeas and nays being called for by Mr. Scott.

Yeas—Messrs. President, Sanders, Seidenstricker, Chalmers, Dryden, George, Ball, Peregoy—8.

Nays—Messrs. Millholland, Fenby, Stran, Stansbury, Child, Tensfield, Scott, Gardner, Fosbenner, Tyson, Lee—11.

Mr. Scott offered the following to precede the last resolution.

Resolved, That we have full confidence in the integrity and fidelity of Jesse Hunt, esq. our late mayor, and regret that the measures recommended to and adopted by him did not prove adequate to attain the object—and that we do not impute to him personally any fault for the disastrous events of Saturday and Sunday last.

Mr. Lee moved that the whole be laid on the table until to-morrow, which was assented to.

On motion of Mr. Ball, the branch adjourned until to-morrow morning at 10 o'clock.

[The second branch did not form a quorum this day; and hence the resolutions that passed, were not further acted upon.

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It is probable that gen. *S. Smith* will be elected mayor of the city of Baltimore, for the residue of Mr. *Hunt's* time; and the *Chronicle* informs us that he will serve, if elected.

The U. S. troops returned to Washington, in the rail road cars, on Wednesday evening. They were not needed here, but wanted at home.

Wednesday night passed over quietly. Order prevailed—and the laws were respected. The stores were generally closed at 6 P. M. as on Monday and Tuesday evening.

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DIVISION ORDER.

Head quarters, City Hall, third division M. M. 13th Aug. 1835.

Peace and good order continue to prevail in every part of the city.

The officers and men of this command have discharged their arduous duties with zeal and alacrity, and the citizens are deeply impressed with the necessity, and animated with a most laudable determination, to maintain the supremacy of the laws.

The major general has great pleasure in expressing his admiration of the perfect organization of the fire companies, and in bearing his testimony to the important services they have rendered.

The different corps and volunteers will parade at their respective stations at 5 o'clock, P. M. and the commissioned officers will report to head quarters.

JOHN SPEAR SMITH, *major general*.

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Head quarters, third division, M. M. 13th August, 1835.

DIVISION ORDER.

Officers commanding brigades attached to the 3d division, are required to make returns of their commissioned and staff officers, to the inspector of division.

The practice of firing without cause, by the troops engaged in the preservation of the peace and tranquillity of the city, besides the alarm and danger it produces, is a waste of ammunition, and is hereby *strictly* prohibited. By order of major general Smith, JOHN THOMAS, *inspector of division*.

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A card. The subscriber, grateful for the manifold public testimonials of approbation accorded him by his fellow citizens, particularly in again naming him as a candidate for the mayoralty, cannot, under existing circumstances, appear as the opponent of the venerable patriot and revered citizen, general S. Smith, to whose prompt exertions, in a time of great peril, our city is indebted mainly for the tranquillity and security which pervade our homes. He begs, therefore, in the event of general Smith's acceptance of the nomination, to withdraw his name as a candidate. Respectfully, JACOB SMALL.

August 14.

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To the editors of the American.

GENTLEMEN: Whilst I deem it complimentary that any portion of my fellow citizens should regard me as in any degree competent to discharge the important duty that attach to the mayoralty at the present crisis—I ask leave to state that I am not to be considered a candidate.

To those who would give any consideration to my opinion, I would remark, that, in my judgment, the interest of the city would be best promoted by the election of the patriot and hero, general *Samuel Smith*—who commanding more of the public confidence than any other citizen, has more than any other contributed to restore order to our outraged city—and who by his noble and decisive course on Monday last, evinced that he unites with the wisdom and experience of age, that ardor and energy of spirit, that impelled him to strike for liberty at the dawn of the revolution.

If in youth he assisted to resist with success the tyranny of a *king*—we see that in age he holds in check the tyranny of a *mob*. Having then in his past life ample security for the future, is it not our interest and our duty to elect him by a unanimous vote? THOMAS FINLEY.

Tenth ward meeting.

At a full meeting of the 10th ward, convened at the Golden Horse, corner of Franklin and Howard streets, on the 13th inst. at 5 o'clock, P. M. *Richard Lemmon*, esq. was called to the chair, and *Joseph L. Sanford* was appointed secretary. The object of the meeting being explained by James George, esq. various resolutions were proposed and debated, after which a division of opinion prevailed, when capt. Joseph Willey proposed the following preamble and resolutions, which were adopted:

The citizens of the tenth ward, in pursuance of a public call, have assembled to express their regret at the late scenes of violence, and of opposition to the laws and civil authorities of the land, alike injurious to the character and the welfare of our city; but more particularly to make known to their fellow citizens of Baltimore, that the resolutions passed by a meeting of a *few citizens* of the tenth ward, whereof Samuel Mass was chairman, and John C. Rau secretary, by no means convey the feelings and opinions of the citizens of the ward. Therefore

Resolved, That although we believe, that most of those persons who attended the meeting of the tenth ward aforesaid, had not fully considered the evil effects of their resolutions, in the then state of excitement, yet in the opinion of this meeting the resolutions passed by them were *unjust, ill timed* and tended to inflame an excitement already too violent to be suppressed by the peaceful operation of the law.

Resolved, That it does not become this meeting to express any opinion concerning the management of the affairs of the bank of Maryland, or of its trustees, or of any other banking or moneyed institutions, but in their opinion, the whole subject should be left to judicial investigation, unbiassed by public opinion.

Resolved, That for any citizens to meet together and to threaten to enforce the banishment of any other citizen or citizens, from the community of which they are members, is unconstitutional and in violation of the dearest rights and liberties of the people.

Resolved, That if Reverdy Johnson, or any other person, denounced in the resolutions of the tenth ward aforesaid, and threatened with forcible expulsion from the city, shall return and resume their rights as citizens, the members of this meeting, if necessary, will cheerfully embody, and actively aid the civil authority, in protecting them in the most perfect security, and in the full enjoyments of their rights and property.

Resolved, That this meeting express their approbation of the conduct of judge Brice, during the late tumults, and pledge themselves to him, and the other civil authorities, to sustain them in the preservation of the public peace.

Together with the following proposed as an amendment by Samuel Mass, esq.

Resolved, That it is both ungentlemanly and unjust for any set of citizens to meet and pass resolutions which may have a tendency to forestall public opinion in the case of any man, much less in the case of one now held under security for public trial.

RICHARD LEMMON, *chairman*.

JOSEPH L. SANFORD, *secretary*.

CITY COUNCIL.

Proceedings of the first branch, August 13th, 1835.

The branch met pursuant to adjournment—present, all the members except Messrs. Boyd, Chalmers and Ross.

A message was received from the second branch, agreeing to the reference of the communication from Jesse Hunt, esq. late mayor of the city, and the one received from the present mayor, and appointing on their part Messrs. Carroll and Reany.

Mr. Lee from the joint committee submitted the following report and resolution, which was read a first, and by special order the second time, and unanimously concurred in, and sent to the second branch.

The joint committee of both branches of the city council of Baltimore, to whom was referred the communication of the mayor, calling the attention of the councils to the necessity of making an appropriation to meet such expenses as may be incurred in the present state of affairs, take leave to report by resolution.

JAMES H. LEE,
JOHN SCOTT,
JOSHUA DRYDEN, } *com. of 1st branch.*
JAMES CARROLL,
WM. REANY, } *com. of 2d branch.*

Resolved, by the mayor and city council of Baltimore, That the register be, and he is hereby authorised and required to pay out of any unappropriated money in the treasury, all such sums of money as may be required by the mayor and the president of either branch of the council to defray any expenses which in their judgment the present state of affairs may render necessary.

The second branch returned the same, endorsed concurred in with the proposed amendment.

Amendment proposed.

Strike out "president of either branch," and insert "presidents of both branches"—which was concurred in by this branch.

On motion of Mr. Tyson, the branch resumed the consideration of the resolutions offered by Mr. Scott yesterday.

Mr. Ridgely offered the following resolutions as a substitute for the whole, which was accepted by the branch.

Resolved, by both branches of the city council of Baltimore, That whilst we regret that the measures adopted by Jesse Hunt, esq. late mayor of the city, did not prove effectual in suppressing the riots which have disturbed the order, and destroyed the peace and quiet of the community, we entertain the fullest confidence in his integrity and fidelity, and hereby tender to him the thanks of the corporation for the honest and unceasing exertions made by him to restore peace to the city and supremacy to the laws.

Resolved, further, That we cordially approve the energetic and decided efforts which have been made to put down the disgraceful riots which have disturbed our city, and destroyed the peace and quiet of the town.

Resolved, That we will unite our efforts with those of our fellow citizens, who have come forward to sustain and enforce the majesty of the law, and restore peace.

Resolved, That we tender our thanks to the mayor of the city, to general Samuel Smith, to general John Spear Smith, to the firemen of the city of Baltimore, and our fellow citizens, for the efforts which they have already made to restore and sustain the majesty of the laws—and we request a continuance of their efforts, and of their active co-operation, until quiet is restored to our late peaceable community.

Resolved, That a copy of these resolutions, signed by the presidents of both branches, be communicated to the mayor and to each of those gentlemen herein before mentioned, and that they be also published in all the daily newspapers published in this city.

Mr. Seidenstricker offered the following as an amendment:

Resolved, That we have full confidence in the integrity and fidelity of Jesse Hunt, esq. our late mayor, Anthony Miltenberger, esq. mayor, Wm. George Read and James P. Heath, esqs. and such other citizens as volunteered their advice and services for the purpose of quelling the riot which existed in our city for the last few days, and that we do not impute to them any fault for the disastrous events of Saturday and Sunday last.

Which was dissented from by the following vote, the yeas and nays being called for by Mr. Seidenstricker.

Yeas—Messrs. Sanders, Seidenstricker, Chalmers, Ball, Peregoy—5.

Nays—Messrs. Millholland, Fenby, Stran, Steuart, Child, Tensfield, Scott, Gardner, Fosbenner, Dryden, Tyson, Ridgely, George, Lee—14.

The question was then taken on the substitute and decided in the affirmative by the following vote, the yeas and nays being called for by Mr. Scott, the president having been excused from voting on the question.

Yeas—Messrs. Millholland, Fenby, Stran, Sanders, Chalmers, Steuart, Child, Tensfield, Scott, Gardner, Fosbenner, Dryden, Tyson, Ridgely, George, Lee, Ball—17.

Nays—Messrs. Seidenstricker, Peregoy—2.

Mr. Tyson was appointed one of the committee of enrollment in the place of Mr. Ross, who was absent.

Mr. Dryden, from the committee, reported verbally that they had waited on the mayor, and that he informed them that he had no further communication to make.

Mr. Dryden offered the following:

Resolved, by both branches of the city council of Baltimore, That no per diem be charged or received by the members for their services during the present session.

Which was read and concurred in by the following vote, the yeas and nays being called for by Mr. Scott.

Yeas—Messrs. President, Millholland, Fenby, Stran, Stansbury, Sanders, Seidenstricker, Chalmers, Steuart, Child, Scott, Gardner, Fosbenner, Dryden, Tyson, Ridgely, George, Lee—18.

Nay—Mr. Peregoy.

A resolution was received from the second branch, proposing that the members of the council make no charge for their per diem during the present session.

The second branch returned the resolution of a vote of thanks to certain persons, endorsed concurred in.

The branch then adjourned *sine die*. By order,

S. H. MOORE, *clerk*.

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Second branch, August 13.

The council met pursuant to adjournment—present F. Lucas, jr. esq. president, and all the members except Messrs. Hubbard, Kluefelter, Schaeffer and McClellan.

A message was received from the first branch covering a communication from Jesse Hunt, esq. resigning the office of mayor; also a communication from the president of the first branch and ex officio mayor, proposing to refer the same to a joint committee, and naming on their part Messrs. Lee, Scott and Dryden. This branch informed them that they assented, and had appointed Messrs. Carroll and Reany.

Mr. Reany asked the reading to the branch of the ordinance relative to absent members, which was then concurred in. He then called on those present to day to explain the cause of their absence the last two days, and the branch received from Messrs. Stuart and Carroll a satisfactory apology, having been detained by indisposition.

Mr. Carroll, from the committee appointed to wait on the mayor, reported verbally that he had nothing further to communicate.

The branch then adjourned *sine die*. By order,

T. H. BELT, *clerk*.

DIVISION ORDER.

Head quarters—third division, August 13, 1835.

The citizens of each ward who have heretofore borne or may hereafter bear arms for the protection of the peace, will enroll

themselves in their respective wards, and form a company not exceeding one hundred and fifty men for each ward. They will then report the roll to this office, and the proper commissions will be issued to such persons as they may choose to command them, viz: a captain, a 1st, 2d and 3d lieutenant—one third of each company will be detailed hereafter for duty every night as long as there may be a necessity for it. The roll will be returned to head quarters at or before 11 o'clock to-morrow morning.

Until the foregoing organization shall be perfected, the present disposition of the troops under the command of the major general will be continued until further orders.

By order of major general Smith.

JOHN THOMAS, *inspector of division.*

SPEECH OF GOV. POINDEXTER,

At a public dinner given him by the citizens of Lexington, July 11th, 1835.

"*Our guest, the hon. George Poindexter*—The patriot and statesman. Once high on the list of executive favor, he is now pursued by the bloodhounds of the palace. His fate is that of every patriot who has had the firmness to throw himself in the breach, to check the career of executive corruption and usurpation.

Mr. *Poindexter* commenced under feelings of evident embarrassment, which he found it difficult to repress, and said: I am now a private citizen of this great republic; I have no claims to the distinction with which you have honored me on the present occasion, but such as may arise out of the humble part which I have acted on the great theatre of our national concerns, in the alarming and interesting crisis which has occupied so large a share of public attention, and created such intense excitement among the great body of the American people, during the eventful period of the last five years. I have no temptations to offer; no rich treasury at my command; no vast patronage to dispense; no glittering rewards with which to purchase the hypocritical adulation of servile sycophants; or the hungry expectants who bow down and lick the dust from the footstool of power, that they may reap the fruits of corruption in the distribution of the spoils of an inglorious victory, over the fallen liberties of the country. Thus divested of every allurement which might invite the profligate or the vicious of the multitude, to soothe my ear with high sounding eulogy or deceptive flattery, I stand in the midst of *freemen*, whose lofty independence and patriotism will never yield obedience to the mandates of a tyrant, nor will they withhold their generous support from the faithful public servant, who has stood on the citadel of the constitution, and fearlessly defended it against the violence of faction and the insidious inroads of usurpation. With this proud assurance of your unbought applause, I tender you, from the inmost recesses of my heart, the homage of my grateful thanks, for the very flattering notice which you have been pleased to take of me, in the sentiment announced from the chair; nor can I too highly appreciate the gratifying demonstration of good feeling with which it has been received. My utmost ambition could seek no higher recompense, for whatever poor service I may have rendered the country, than that which you now offer me—the free and unbought approbation of my countrymen of my public acts, tested by the standard of the constitution, with all the lights shed on them by time and reflection, aided by mature and candid investigation. I ask no other or higher reward for all the sacrifices which I may have incurred, in the faithful discharge of the important duties which have been confided to me.

I am reminded, fellow citizens, by the spot at which we have assembled, and the scenes by which I am surrounded, of events memorable in the political history of our country, which occurred in days gone by, at an epoch of the republic, when the spirit of liberty beat high in every *real* American bosom. I well remember, that twenty three years ago, in the same month of the year in which we have now met, to have spent a few days in the enjoyment of the hospitable and charming society of your city, on my return home, after the close of that protracted and laborious session of congress, during which war was declared to exist between the United States and Great Britain. On the occasion of a public entertainment given at that time, to my friend near me, (Mr. *Clay*), your distinguished representative in congress, then speaker of the house of representatives, at which I had the honor to be an invited guest, I had the satisfaction to mingle around the festive board with the gallant sons of Kentucky, animated by the presence of many veterans of the revolution, who have since departed from among us, and sunk into the silent tomb; one of them, whose memory will be long cherished by those who knew him, presided over the festivities of the day.* We occupied the same hall in which we now sit, and the same glow of patriotic devotion to our common country, throbbed in every heart, which pervades the breast of every individual in this assemblage, unchilled by the frost of time, and undismayed by the appalling strides of arbitrary power, which menace the overthrow of the free institutions handed down to us by our ancestors, as a rich legacy won by their valor, and cemented by their blood.

You then solemnly pledged to each other, all that is dear to man as a social being, to rally around the banner of your country, and to vindicate the violated rights and honor of the nation, or perish in the conflict. Most nobly was this pledge redeemed. The best blood of your state was freely shed in this second war of independence, against a combined British and savage foe: your young men filled the ranks of our armies, penetrated the untrodden forests of the western wilderness, met the enemy where he was to be found, and many a battle field is covered with the bleached bones of the high souled chivalry of the state, mingled in one indiscriminate mass, where no monument towers above the horizon to tell how they fought and fell, or point the passing stranger to the spot on which they offered up their lives in the defence of the liberty and independence of a beloved country.

The issue of the contest involved the existence of our national sovereignty; our rights on the common highway of nations; the freedom of our commercial intercourse with all the world, and the immunity of an American citizen from the press-gangs of British armed vessels, on the high seas. Our arms were victorious and the nation stood erect; our national character was elevated throughout the civilized world, and fresh vigor was imparted to our republican form of government, with renewed confidence in its stability, and its capacity to withstand the shock of a foreign war with the most powerful nation of Europe. The heart of every patriot rendered devout thanks to Divine Providence for the return of peace, and the preservation of our liberties from the perils to which they had been exposed. But alas! in less than one quarter of a century from that glorious epoch, we find the fruit of our triumphs in that war, ripening into maturity and containing in its core, a latent poison, whose deadly influence is felt in every nerve of our political system. A military chieftain, favored by the fortunate result of a single victory, has mounted into power on the wings of military fame acquired by that victory; destitute of the requisite qualifications to administer the civil government of his country, and with a mind impatient of restraint, he has under the specious guise of *democracy*, taken within his own grasp, all the essential powers delegated in the constitution, to the several departments of the government, and constituted himself for all practical purposes, the supreme dictator in the administration of the government and the execution of the laws.

Our dangers thicken around us and portend the dissolution of the ties which have hitherto bound together this great confederacy, in a sacred bond of union, which can only be preserved from utter annihilation, by the wisdom and firmness of our councils, and the watchful vigilance of the people. We live in an age of civil revolutions, and it cannot be disguised that while popular rights and free principles are rapidly advancing on regal prerogative and the divine right of kings in the old world, they are receeding with a corresponding celerity from the new world, hitherto their exclusive abode; and legislative power under a well balanced constitution is daily sinking into the vortex of undefined, irresponsible executive prerogative.—In this humiliating fact, we clearly discern the insidious encroachments of a domestic enemy, tenfold more dangerous to public liberty, and the rising greatness of our country, than a war with combined Europe. Such an enemy steals by deceptive arts into the strong holds of public confidence; it offers the hand of friendship, while it aims a deadly blow at its unsuspecting victim; it assumes the humble title of democracy, and sings hosannas to the people, at every step which it takes to fasten on them the chains of an odious and inexorable despotism. To expel a monster so terrible in all its hideous deformity, from the formidable entrenchments behind which it finds protection and nourishment, is a consummation devoutly to be wished, by all who properly estimate the blessings of a free constitution, under which we have so long prospered as a nation of freemen. After the lapse of so many years, since I had the gratification to witness the patriotic devotion of my fellow citizens of Lexington, to the great principles of liberty and national independence, and the alacrity with which they exchanged the comforts of domestic life, for the dangers, hardships and privations of the tented field to grapple with a foreign enemy, my mind is deeply impressed with the singular coincidence of circumstances, which brings us again together, in a crisis well calculated to call forth all their energies and patriotism, in the preservation of the same principles, assailed as they now are, by the hand of an internal enemy, clothed with the robes of official station, and backed by an organized body of disciplined retainers, who fatten on the spoils of the public treasury. The manly sentiments and feelings, which you have this day manifested, gives an assurance, which none can mistake, that here at least the constitution has a resting place, where it will find strong arms and stout hearts to defend it against internal and external enemies, in defiance of the corrupting influence of official patronage, or the proscription to which all are condemned, who do not bow down and worship a political deity. To dwell among such a people would be "glory enough for me," and to die among them, would give to my mind in its expiring agonies, the solemn and sacred assurances, that the footsteps of no tyrant would ever dare to tread on the turf which covered my mortal remains.

Fellow citizens—I am sensible that the enlightened portion of my countrymen, whom I have now the honor to address, can receive from me, no important addition to the information they already possess of the principles on which the government has been conducted, under the administration of the present incumbent of the executive chair of the nation. Your eminent statesmen have nobly exposed the novel pretensions of the

*The late col. James Morrison.

chief magistrate to powers not delegated to that department in our written constitution, within the halls of congress, and in their personal intercourse with their constituents, and I have not the vanity to suppose, that any views of my own on these subjects, could present them more clearly or forcibly to the common understanding of every reflecting mind, than those already imparted to you by your distinguished representatives. I might indeed with more propriety ask instructions from you on these grave matters, than to presume on my ability to enlighten you, in relation to them. But a free and frank interchange of opinions, on grave questions of national policy, and of constitutional construction, is at all times beneficial to those who are in search of truth, and often serves to fortify the judgment in the results, at which it may have arrived by previous investigation. I trust, therefore, that in offering to you a very concise exposition of some prominent points connected with the administration of president Jackson, which have so deeply and extensively agitated the public mind, I may not transcend the limits of your indulgence, or fatigue your patience on the festive occasion, with which you have been pleased to compliment me. Presuming on your courtesy in this respect, I proceed to throw before you, a few general ideas of the structure of our government, as it was created and defined in the federal constitution, with a practical illustration drawn from the official acts of the present executive, of the manner in which it has been construed and administered.

It is an axiom of profound wisdom in republics, which cannot be too often repeated, that no people can long remain free, who are not jealous of their rights, and who do not stand on the watch tower and challenge every invasion of them with unceasing vigilance. The truth of this maxim is demonstrated in every page of history, ancient and modern, and the necessity of its observance has of late been obvious by the passing events in our own country. To preserve and perpetuate the liberties of the people in their pristine purity and vigor, a frequent recurrence to fundamental principles is an indispensable duty, which may not be overlooked without great danger of gradual encroachments, which pass without observation, until all the barriers which guard and protect constitutional liberty are undermined and prostrated at the feet of power and ambition. Confidence in rulers to a reasonable extent is a proper ingredient in the administration of all free governments; but confidence in human wisdom and virtue has its limits, and whenever these are transcended, a sedative poison is infused into the political body, the tendency of which is apathy—blind obedience to a popular dictator—delusive dreams of security from all danger, while so good a chieftain holds the reigns of government, and the certain ends of all these symptoms is the sleep of death to the republic. May I not then, appeal to my countrymen, as one of themselves, united by all the obligations of patriotism and of interest, to guard with caution the great land marks of the constitution, and to hold no man guiltless who appropriates to himself powers not therein specially delegated! Those who fill high places are but the trustees of the people, to execute for their benefit the respective functions confided to them, under the sanction of the constitution and the laws; and it is by this standard alone, their actions ought to be judged, without distinction of persons, except so far as they may conform to the principles which form the basis of our inestimable system of government.

What is the true definition of a representative, republican government, and of one purely despotic in its structure? It does not consist in the extent or nature of the powers, necessary to be confided under either form. The great end to be attained by the establishment of governments over civilized men, is the protection of the virtuous from the encroachments of the vicious; the weak from the violence of the strong; and the regulation of all social rights and obligations. For the attainment of these objects, all governments, whether their form be despotic or free, must possess power over the life, liberty and property of each individual within their jurisdiction and subject to their laws.

The broad line, which separates a free government from one which is arbitrary and despotic, is plainly marked out in the concentration of all these powers in a single hand, or their distribution among various bodies of magistracy, or departments each confined within the limitations prescribed to it, so that neither can exercise the powers properly belonging to the other, without being effectually checked, and driven back to its proper sphere of action. This important discovery in the science of government, the framers of the constitution under which we live, believed they had made; and on that plan our system was originally formed. The division of power is so carefully guarded and defined, as to constitute special grants to each department, in three separate articles of the constitution.

1st. All legislative power is vested in a congress of the United States, to consist of a senate and house of representatives.

2d. All executive power is vested in a president of the United States, to be chosen by electors appointed by each state, in proportion to its number of senators and representatives, and continue in office for the term of four years.

3d. All judicial power is vested in one supreme court and such inferior courts as congress may from time to time ordain and establish.

To these several departments, special grants of power are made, and each is limited to the sphere prescribed to it by the constitution.

Without entering into tedious details, to show how this beautiful theory of a free and well balanced government, was carried out for practical purposes, I proceed to inquire whether there remains at this day a single vestige of this edifice, erected by the wisdom of our fathers, for the security and perpetuation of the system; or whether it has not tumbled into ruins under the weight of assumed executive prerogative. If it is found that all the essential powers delegated to the federal government, are in practice, rendered subservient to one of the three great departments, and that department controled by the arbitrary will of one man, I say the system is transformed into a despotism, whatever may be its nominal character. But if the wise distribution of powers, contained in the constitution, remains undisturbed; if they are seen and felt in the administration of the government; we may yet boast of our freedom, and of the constitution, as the proudest monument of human wisdom.

On this ground, rests the whole question, which it is my purpose now to investigate, simply by a reference to undeniable facts, which speak for themselves; and not by an attempt to mistify or distort them for any purpose whatever. Is there a single power granted by the constitution or the laws, which may not be arrested and effectually controled in its execution, at the discretion of the chief magistrate, if he shall think fit to interpose his authority for that purpose? I answer emphatically and without the fear of contradiction, that no man can point his finger to any such power, which can be carried into effect against the will of the executive, according to the dictum of constitutional construction, for the first time introduced into our system, by the new *sciola* of political professors, who have sprung into notice, under the administration of president Jackson. I will take the departments as they are arranged by the constitution, and examine, in the first place, the actual condition of the legislative in its connexion with the executive. This may be regarded as the most important branch of all our governments, and was so considered by the framers of our constitution, when that instrument was under consideration in the convention of 1787. It is the soul of the republic; it speaks the will of the people through their immediate representatives; it prescribes a rule of action to the whole community, and regulates the duties and obligations resulting from the compact of union, among the several states of the confederacy. The sovereignty of the people is a principle, which lays at the foundation of all republican governments; it is so spoken of by men of all parties, by whatever name they may be called in this country. It is the true *democratic* principle, which is an essential ingredient in the organization of our political system. But can the will of the people, expressed by the two houses of congress, to whom the law making power has been confided, be rendered effectual against the supreme power of the executive, as now claimed and exercised? Most assuredly it cannot. The power of legislation in the last resort, has been usurped by the chief magistrate, and no law, whatever may be its nature or character, can be enacted if in all its details it does not conform to his opinions of expediency and the constitution, as *he understands it*. This unprecedented and alarming innovation on the deliberations and action of the national legislature, has become a part of the common law of the palace; and it is attempted to be defended and justified by the high prerogative "*democratic*" party, who have the custody of the conscience of the president, on the extraordinary assumption that he is the *only* representative of the *whole* people of the United States; that he is responsible to them at the expiration of each term of service, for the measures which he may have approved; that between him and the people, there exists the most intimate relations; that he has taken an oath to "*support, protect and defend the constitution*," and that he is the "government" to whom all must look, as the great head and law-giver of the people, who have put their trust in him as their protector and benefactor.

This new theory of executive power and responsibility might well be set down as fiction, if its truth depended on evidence less unequivocal than the written messages of the president, under his own sign manual, formally addressed to the senate and house of representatives—enforced in other state papers which are on file among the archives of the government. The veto power granted in the constitution to the president for wise and salutary purposes, has been enlarged in its application to bills of every class, whether his objections to their passage are founded on his opinions of expediency or constitutional difficulty: He claims the right of interposition in either case, and thereby constitutes the department over which he presides, the supreme legislative power of the nation, in all cases whatsoever, unless indeed his individual opinion can be overruled by the votes of two-thirds of both houses of congress, which past experience has shown to be highly improbable, if not impracticable. Thus it is manifest, that by the perversion and abuse of a discretionary power, heretofore properly exercised only on great and important occasions, the representatives of the people have been disrobed of their legitimate authority, to decide on measures involving the general welfare and prosperity of their common constituents, without the co-operation of an imperial head, whose sanction alone can give vitality to all bills matured and passed by the two houses of congress. No one could object to a fair and proper exercise of the veto, when the chief magistrate found it necessary to correct errors, inadvertently committed by the legislature in the progress of a bill, which may be presented to him for his approval, or where a

gross and palpable violation of the constitution, required his interposition for *that* reason only, but to use this power as he now does, to consolidate in himself, the entire scope of legislative discretion in utter contempt of the representatives of the people, is an assumption of regal prerogative, which ought not and would not be endured by a people who deserved to be free. We have seen bills thrown under the table of the executive, the provisions of which had been sanctioned by Washington, after due consideration and the advice of his cabinet ministers. Did Washington violate the constitution of which he was the founder? Have congress at various periods and the supreme court in repeated decisions, misconstrued that sacred instrument? Yes! This libel on the departed father of his country, and the other illustrious patriots, who brought the government into existence, is unblushingly published to the American people, in a veto message, not written but signed by Andrew Jackson; who has during his administration, given to the constitution every variety of construction which might happen to suit his purpose at the time, to fill the measure of his unchastened ambition.

We have seen the executive veto bills appropriating the public money in aid of works of internal improvement, in one state, and like appropriations for similar objects approved in others; thereby giving to the constitution precisely opposite interpretations, to appease his malice against particular individuals or states, who stood in opposition to the arbitrary course of his administration; thus wielding this omnipotent power over the legislature, to reward friends and punish enemies. We have seen a bill retained in the possession of the president until the adjournment of congress, granting a small sum for improving the navigation of the Wabash, for the single reason that no port of entry had been established on that river, above the point at which the obstruction was to be removed. We have seen large appropriations made and approved, from time to time, for opening the navigation of Red river, through an uninhabited wilderness, when no port of entry was established, and beyond which the country was destitute of civilized inhabitants, except in distant and detached districts. Similar appropriations of the public money have been approved, for improving the rivers in New York and other states, where no ports of entry had been fixed by law. These are a few only of the many instances in which the constitution has been made to bend to the caprice of him, who holds uncontroled sway over the destinies of the American people. "Can such things be and overcome us like a summer's cloud without our special wonder." The president has boldly proclaimed himself to be the sole depository of the law making power, in defiance of the spirit of the constitution, and the will of the people, declared through their representatives in congress assembled; and the people are invoked in the name of the great "republican democratic party" to stand by their chieftain and hail him as one who "was born to command"—their benificent protector, in whose wisdom and virtue they may find safety amidst the storms and convulsions of the political elements. These giant strides to despotic rule over the first and most important departments of the government, I regret to be compelled to say, have been already so generally made acceptable to the people, under various specious pretences to cover their real character, that every intelligent mind must see in them the unerring symptoms of a rapid decline in our republican form of government.

But this is by no means the whole extent to which this veto power is carried in its application to the laws; it is applied to the entire code of statute law, from the commencement of the government down to the present time. The constitutional veto is divided into two parts: 1st. Bills returned with objections, for reconsideration. 2d. Bills presented to the president within ten days before the adjournment of congress, which are laid aside as unworthy of consideration and no reason given for disapproving them. This latter class embraces the most important measures of the session, which are usually matured a few days before the final adjournment: they are unceremoniously put in the pocket of the president, and no opportunity is afforded to pass them by the constitutional majority, if it was possible to obtain it. The next applications of this power in the wide range which is given to it by the executive, is to laws already enacted, incorporated in the statute book and deemed to be in full force. With respect to these, the president has said in substance, on several occasions, and particularly in his message on the Cherokee controversy with Georgia—"I will execute no law, or decision of the supreme court, which is contrary to the constitution as *I understand it*." The dictum has been carried out in practice and may now be regarded as a settled rule of action. Thus the supervision of the statutes, and of the judgments of the courts is claimed as an executive prerogative, and neither can be enforced unless they conform to his construction of the constitution, which he has sworn to protect and defend. Again: if an appropriation of money is made by law for any especial purpose, with the signature of the president approving it, he holds it to be his duty to forbid the execution of the law, if his mind shall become at a future day dissatisfied with the act; this is a veto subsequent on his own errors and mistakes. And furthermore, if a bill is presented to him for his approbation, containing numerous provisions, some of which he approves, and objects to others, he signs the bill by which it has the force and effect of law, with a special reservation that certain enumerated items or sections therein contained, are held to be unconstitutional and will not be executed. This special veto in addition to the other correlative powers, which I have endeavored to explain, places the whole scope of legislation and the execution of the laws at the disposal of one man filling for the time being the executive department of the government. I ask then if any man whose mind is free from the painful influence of interest and prejudice, can look on this picture and persuade himself that it corresponds with the intentions of the framers of the constitution? That enlightened statesman and patriot Patrick Henry, than whom no man understood better the workings of the human heart and the tendency of power to reach its utmost limits, solemnly warned the convention of Virginia against that clause in the constitution which vested in the president a discretion so broad and undefined over the acts of the legislature. He saw in it an "awful squinting towards monarchy," and his predictions have been fulfilled to the letter. But he was pointed to the example of other countries where the crowned heads were invested with an absolute veto—which was seldom resorted to, and hence it was inferred that under our republican system, no chief magistrate would ever dare to place his will in opposition to that of the representatives of the people, except on great emergencies calling imperiously for his interposition, to preserve the integrity of the system. This was the opinion of Madison, of Hamilton, of Rufus King, and of that illustrious man chief justice Marshall, to whom we owe a debt of gratitude for his eminent services, and whose critical situation at this moment excites in the minds of his countrymen, as deep an interest for the preservation of his valuable life.

The reasoning of three distinguished advocates of the constitution, was founded on too high an estimate of human virtue, which they erroneously imagined would always adorn the incumbent of the executive chair: and a misplaced confidence in the firmness and independence of the members of both houses of congress, who may by an extraordinary majority control the executive veto. No such majority ever has been or can be had for that purpose, under the present arrangement of patronage, and of this fact we have had abundant evidence in the progress of the administration of president Jackson. It has become of late a common practice for senators and representatives in favor at court, to solicit the approbation of the president in advance, when they desire to introduce a bill for the benefit of their own immediate constituents or a general policy. If they fail to obtain it, the unfortunate applicant submits without a murmur to this high handed dictation. The contemplated measure is at once abandoned as entirely hopeless. This executive counsel was taken by a senator from Indiana, in his attempt to obtain an appropriation for improving the navigation of the river Wabash. He was advised to bring in a bill establishing a port of entry in the wilderness at some point above the proposed improvement, as the only mode of quieting the conscience of the president, who had at the preceding session applied his pocket veto to that appropriation. The journals of the senate will show that there were two bills introduced simultaneously, but without the success that was anticipated. Other cases of the like character might be mentioned if necessary, but I will not detain you by a reference to them.

On a very recent occasion we have seen through the public prints this pretension to executive power pushed to its utmost extreme. In a conversation with a distinguished "Jackson man" from Ohio, relative to the boundary controversy between that state and the territory of Michigan, the president is represented by that gentleman, in his report of the conversation, to have said "I will put *my veto* on any bill for the establishment of a state government in Michigan, until the disputed boundary is finally settled"—thus announcing in the face of the world his supreme power over the legislature. Is not this bold declaration, coming directly from the president, enough to awaken the slumbering apprehensions of a free people, and bring their minds back to the fundamental principles of the constitution? If it stood alone, it ought to arouse a spirit of anxious inquiry among a people ever watchful over their dear bought liberties, but it is only a speck on the map of assumed powers now claimed and exercised, as appertaining exclusively to the executive, in defiance of all the co-ordinate departments of the government. Can nothing animate the sleeping energies of the American people to a consideration of the dangers which beset them, and threaten the downfall of that freedom of which they have so long and so proudly boasted? I confess with unaffected mortification my fears that a blind confidence in *one man*, has fastened its deleterious influence on the minds of the honest, unsuspecting portion of my countrymen, and that principles for which their noble ancestors fought and bled, are forgotten in their devotion to a political idol. I hope in this I may be deceived; but the signs of the times do not afford me much encouragement to cherish such a hope. I will not, however, despair of the republic. The prospect before us may indeed be gloomy, but there is a redeeming spirit in the virtue and patriotism of the people, in which I will put my trust, until the last ray of liberty shall disappear under the dark cloud of despotism.

The patronage of office is freely distributed among the representatives of the people, by means of which they are corrupted, humbled and brought to the feet of the executive. I speak from personal observation in the course of my public service in the senate of the union, when I say, that for several years past, the president has had and at this moment has more representatives in congress than the people. They dare not resist his will, whatever their convictions may be of the measures re-

commended to their consideration. They register the mandates of the palace, and rely on the influence of a popular name, and the misrepresentations of a pensioned press, to deceive and mislead their constituents. The first question which a representative has to decide on taking his seat, is to him a very serious one—"Shall I represent the people or the president?" Shall I surrender the rich rewards that are in store for the faithful, and perform my duties without reference to the pleasure of the president, having always in view the public good, or shall I make myself a favorite with him who has the power to bestow high and lucrative offices on me or my particular friends? In such a conflict, nine times out of ten, patriotism and personal independence yield to the temptations which are spread before the minions of power, as the recompense of their obedience of its dictates. It is by this combination of usurped power and corrupt patronage that the two houses of congress have been humbled into submission to him who now "rides the whirlwind and directs the storm." The law making power has been thus grasped in a single hand, and it would be far better if he, with the aid of the judges of the supreme court and the attorney general, should at once form the laws and promulgate them by proclamation among the people. Such a process would render our government a simple machine, and relieve us from the pageantry and expense of a *nominal* legislative body.

Following the march of constructive powers, which, in the name and by the authority of the high priest of the great "*democratic*" party, have been interpolated on our system, I will detain you a short time, while I compare the powers now asserted to be inherent in the president, with those delegated in the constitution to the EXECUTIVE department. The same general phrases which were used to vest in congress all legislative powers, are employed in designating the president as the depository of all executive powers, and the same rule of construction is applicable to both. The design of the framers of the constitution and of the states, at the time of its adoption, was to create a limited government, with specified and defined powers, the execution of which was entrusted to three separate and distinct branches, each independent of the others, except so far as they may have been required to unite in the performance of the same duties. Thus we see in article 1. sec. 8, a specification of all the powers properly belonging to congress, which concludes with a general grant "to make all laws which may be necessary and proper to carry into effect the foregoing powers, &c." In the second article is contained a like enumeration of the powers and duties of the president, and in the third article the jurisdiction of the supreme and inferior courts is carefully defined, so that nothing in either case should be left uncertain, and subject to be enlarged by vague construction. The idea of *inherent* powers in either department, is utterly inconsistent with the whole theory and character of the government, and was never once mentioned as a source from which powers could be drawn in any contingency, either by the advocates or opponents of the constitution. All the powers not *expressly* delegated were "reserved to the states, respectively, or the people" in their sovereign capacity. Such a government, honestly and faithfully administered would endure to the end of time, and continue to be, as it has been, the admiration of mankind. But the towering ambition of the present chief magistrate disdains to be confined within the narrow limits of the granted powers, and has taken counsel of the *magicians* and *soothsayers* around him, to enlarge the boundaries of his authority, and erect new land marks to the co-ordinate departments with which it is associated.

These arch advisers, whose sole aim was the promotion of their own political aspirations, by covering themselves with the mantle of their popular chief, took every opportunity to flatter his vanity and minister to his appetite, by searching out avenues, heretofore undiscovered, through which he might by plausible pretexts reach the climax of arbitrary power. The most extraordinary of these discoveries is the latent power found in the phraseology of the oath administered to the president on his induction into office. He swears to "support, protect and defend the constitution," from which is derived every power necessary to fulfil that high and solemn obligation. The means are made subservient to the end, and whenever or wherever the president might find the constitution invaded or violated, it at once became his duty to step forth with his mighty arm to "protect and defend it." This is the very essence of regal power in its widest latitude. George III. of England, was advised by a tory ministry that his coronation oath interposed an insuperable barrier against Catholic emancipation, and it may be that this precedent served to enlighten our modern *democrats*, on the abstruse doctrine of executive prerogative in this country. Be this as it may, the same principle is recognised and asserted in the celebrated protest of the president on the right of the senate to express an opinion on any measure of his administration. It has therefore become a part of the democratic creed, and as such is recommended to all who belong to the orthodox church.

Next to this comes the broad field of inherent, undefined powers which are alleged to have pre-existed the constitution, and of which the president cannot be deprived by law, without an amendment to the constitution for that express purpose. These are brought in aid of constructive powers, and together form the basis of supreme power in the executive hand. It is pretended that in as much as "all executive power is vested in the president," he may strictly exercise all such as are of that character, whether they are among the enumerated powers contained in the grant or not! He may look into the elementary writers on national and political law, to find their definitions of these powers, and whatever falls under the head of executive prerogative, appertains to him, because, forsooth "all executive powers are vested in the president" by the very letter of the constitution. If this reasoning be deemed sound, I ask what is there to prevent congress from the like exercise of all legislative power, as it is exercised and defined in the parliament of Great Britain? The division of power between these two departments is couched substantially in words of the same import, and if it accords with their meaning, to clothe the president with "all executive power," without reference to the subsequent limitations on that power in the constitution, then I contend, that according to the same interpretation of that instrument, "all legislative power" of whatever nature or extent, is equally granted to "a congress to consist of a senate and house of representatives." The conclusion is inevitable, and if this interpretation of the constitution, in either case is adopted, it annihilates at one fell sweep, all the checks, which have been so cautiously provided for, to restrain the action of each department within the limits prescribed to it. Nothing can be more absurd and ridiculous than this attempt to convert the mere caption which designates the department to which a certain class of power has assigned, into the substantive grant of every power coming under that definition. We must advance to the specifications which follow the general words in the commencement of an article in the constitution, to find its true intent and meaning, and thereby maintain the balance of powers between the several departments if either should encroach on the powers specially delegated to the others. This has been considered an axiom under every administration preceding the present, and so it must continue to be, if we mean to preserve our inestimable system of government from the strong arm of a reckless executive. If any man doubt that these innovations on constitutional restrictions, have been claimed by president Jackson, let him cast his eyes over the protest before referred to, and he will there find the broad principle asserted, that the president holds the custody of the public property, whether it consists of lands, ships, military stores, arms and munitions of war, bank notes or gold and silver, *by virtue of powers inherent in him and which pre-existed the constitution*, of which he avers no law which congress may pass can deprive him. If this is not enough to satisfy incredulity itself on this subject, there are other state papers from the same high quarter, in which the same principle of executive prerogative is maintained.

But the president has not left his meaning to be inferred from his repeated declarations in relation to his inherent powers. It was on this ground that he seized the national treasury, and distributed it among his friends throughout the union. I say *his friends*, because a banking corporation is an artificial person, controled by his friends, and I know of no legal obligation which attaches to an artificial being, which does not in all respects apply to a natural person. Confidence in the ability of either to keep and disburse the public money would equally justify its deposite with them, and there is in fact no material difference between a loan of the money in the treasury without interest to a state bank, and a similar loan to a private individual, provided the president, who had the disposal of it, stood ready, to "*take the responsibility*." There is assuredly neither law, constitution, nor usage to justify the president in this arbitrary measure. But he violently thrust his hand into the treasury in despite of all these, and from that day to this, the public morals have been corrupted: popular elections have turned in his favor in every state, where favoritism and the public purse could be brought to bear on the contest; the press has been subsidized; and no deed of darkness, whatever might be its enormity, which he or the corps of officeholders under him, can commit, throughout the wide extent of the union, however clearly detected and exposed, seems to impair in the slightest degree, the heedless confidence of the people in his administration.

In the better days of the republic, these things would not have been permitted to pass, even if done by Washington, without exciting the indignant frowns of the men who achieved the revolution, and who, knowing the price of their liberties, knew also how to preserve them for their posterity. I speak not of the violation of chartered rights, guaranteed by the pledged faith of the nation, nor of the total disregard of the trial by jury, in a case properly belonging to the judicial tribunals; neither will I dwell on the dangers to be apprehended from a union of the purse and the sword of the nation in the same hand; because I have often heretofore exposed, and in the fulness of my heart deplored all these bold usurpations of the present incumbent of the executive chair; and besides my poor efforts to rescue the fallen constitution of my country, the public sensibility has been appealed to and the judgment of the people invoked on these matters, by the high minded, patriotic statesmen, who stood in the halls of the two houses of congress; and to the force of reasoning which has not and cannot be answered, they united the vivid lightning of eloquence, which has never yet been surpassed in any age or country. The theme which animated them was worthy of their noble efforts, and to the freemen of the country, the issue has been committed, on the determination of which hangs the future destinies of the American people.

In this enlightened epoch of the civilized world the spirit of liberty is abroad; and I venture to predict that if the monarch

of France or of England should claim the exclusive custody of the treasury in either country, to be divided out among corporations or individuals at his pleasure, the throne of such monarch would tremble under him, if indeed his head did not pay the forfeit, for so gross an outrage on the rights of the people, and the sanctity of the laws of the kingdom. But in this country where every man feels the warm blood of freedom coursing through his veins, we are compelled to confess that a *democratic republican* president may safely break down the barriers of the constitution and invade the depository of the money of the people without hindrance from any quarter, and with an assurance that he will find support in the shouts of the multitude! The contrast is drawn from authentic facts well known to the reading public, both in Europe and America, and must form a part of the history of the extraordinary crisis in which we live. It may be asked how the president can, against the authority of the laws regulating the fiscal operations of the government, take into his own hands the treasury of the nation and deposite it in the vaults of irresponsible corporations? The plain answer to this inquiry may be found in the *inherent* powers, claimed as appertaining to his office, combined with others derived from certain arbitrary constructions, but which are no where granted in the constitution.

The power of removal from office, with or without cause, conferred on the president by law at an early period after the commencement of the government, has been converted into a powerful engine of tyranny, and its application to the accomplishment of objects, not within the legitimate range of executive power gives to that department unlimited control, not only over the public treasury, but over every officer to whom the execution of the laws may be confided. The commander-in-chief of the physical forces of the nation, was deemed by the framers of the constitution to be an unfit person to be entrusted with the custody of the purse of the nation. The union of these in the same hand has ever been considered dangerous to liberty, while each may be harmless, if separated and confided to independent departments. Such is the policy of our system plainly marked out in the constitution. It is a wise policy which ought always to be rigidly enforced. The president has on no occasion, asserted a constitutional or legal right to interfere with the management of the money in the treasury, and yet he has obtained possession of it by means of this simple and *apparently* unimportant power of *removal* from office. The secretary is the fiscal agent of the government, clothed with discretionary powers, to be used in the recess of congress, if necessary for its safety, and he alone is accountable for the fidelity of that branch of the administration. But the president holds over him this rod of removal from office and demands of him as a condition of his continuance at the head of the department implicit obedience to his commands. Accordingly we find him issuing orders to Mr. Secretary Duane, to remove the deposites of the public money from the bank of the United States, where the law had placed it for safe keeping and disbursement. He took on himself the responsibility of the measure, and called his cabinet ministers to bear witness that he alone stood accountable to the nation for the contemplated treasury movement. But this assurance of indemnity on his part not having the desired effect on the patriotic, self devoted gentleman, who had but a short time before been invited by president Jackson himself, to take the seals of the treasury department, he was forthwith expelled from office and denounced by authority as a "*refractory subordinate.*" A pliant instrument was without difficulty found to supply his place, who had no conscientious scruples, connected with the public interests, to prevent a prompt obedience to the will of his master, and by a single dash of his pen, the measure was consummated, without regard to its blighting effects on the industry and enterprise of the country, or its infraction of a privilege purchased and paid for by a corporation holding its charter under all the sanctions of law and the sacred pledge of the national honor. But had this second attempt failed, no one can doubt that a third and a fourth would have followed and so on *ad infinitum*, until a fit person had been found to answer the purpose.

It must be apparent to the plainest understanding that this power of removal, carried to its extreme boundary, may by interdiction be so applied as effectually to clothe the president with supreme power over the administration of the laws, and even to render his will paramount to the constitution, and the laws made in pursuance thereof. He might demand from the secretary of the treasury, a warrant with his affixed signature in due form, for any money remaining in the treasury unexpended, and a refusal to comply with the demand would be followed by his removal from office, and the appointment of a successor who would comply. If the disobedient secretary should urge as a reason for his non-compliance with the requisitions of the president, the constitutional provisions that "no money shall be drawn from the treasury except in virtue of an appropriation made by law," he would be told, as was Mr. Secretary Duane, "I take the responsibility," and no objection founded on the obligations of duty would be listened to or tolerated. An ambitious chief magistrate might in this manner possess himself of the means to overturn the government, or involve the people in the ruinous consequences of a foreign war, if he thought proper to hazard such an experiment. Let no man be so unwise as to lay the "flattering unction to his soul" that no usurper will ever reach the executive chair, who would venture to take a step so bold and daring. History furnishes abundant warnings of the dangers to which free governments are exposed, when the people put their trust in the virtue of their rulers and forget the safeguards by which alone liberty can be preserved. Let us for a moment cast our recollections back to a period within the memory of the present generation, when the conspiracy of Aaron Burr agitated the public mind throughout the union. That man wanted only the vote of one state, to constitute him president of the United States. I ask, if he had filled that high station at the time of his intended invasion of Mexico, and of his ultimate object to sever the union of these states, could he not, by the aid of such a construction of the power of removal from office, as that adopted by president Jackson, have drained the treasury of its last dollar, to put in motion the physical forces under his command, and carry into effect the schemes of his mad ambition? He too might have taken the "responsibility" and demanded of the secretary the proper warrant to enable him to put his hand into the national chest and remove its contents at pleasure. With this example before us, can any man wink so hard as not to perceive the dangerous precedent which has been set by the present chief magistrate, in removing the public money from the place of its lawful deposite, by the exercise of his authority over the secretary of the treasury, to whom that discretion had been entrusted by law? Men will not reason when the passions are up, but sober reflection and the lessons of experience cannot fail to teach us, in the lapse of a few short years, the absolute necessity of adhering with unbending firmness to the great charter of our liberties, and of holding every public servant to a strict accountability, who shall dare violate it.

Can any law be executed against the arbitrary will of the president, armed as he is with this tremendous power over the subordinate agents of the government, who may at any moment be dismissed from office for the *crime* of non conformity or disobedience to his orders? Most assuredly it cannot. He has told us in language which conveys no equivocal meaning, that he in his high character of president of the United States is a *will*; the fountain from which flows all the honors and rewards of official dignity and emolument. He is required to "see that the laws are faithfully executed" from which he draws the sweeping power to control their execution; when it is evident that nothing more was intended, than to enjoin on him the performance of *a duty* by giving the necessary aid when called on for that purpose, to suppress resistance to the constituted authorities in the performance of their constitutional functions, if such resistance should be too powerful to be overcome by the civil officers of the government. This is the true intent and meaning of the clause in the constitution which has been so grossly perverted, and construed into a grant of the most unlimited powers to the executive head. The *patent democracy* of the present day, or in other words the high prerogative school of politicians insist, that inasmuch as it is incumbent on the president to "see that the laws are faithfully executed," he alone is responsible to the people for the fidelity of their execution, and might, if he had the physical ability, perform all the duties prescribed by law for that purpose with his own hands; that this being impossible, he has been supplied, by various acts of congress, with aids or subordinates, subject at all times to his will—in the discharge of their duties, that they are responsible to him, and *he* stands at their head, responsible to the nation in the same manner as if he had performed their respective duties in his own proper person. This is the broad foundation on which he erects the superstruction of his vast powers, and hence he says in his celebrated protest "whenever I am unwilling to be responsible for the good conduct of any officer of the government, his commission must be annulled, and a successor appointed, for whose conduct I am willing to hold myself accountable." Thus it is that the will of the president is rendered paramount to both the laws and the constitution, and is made the rule of action in every department of the government, whatever may be the nature or extent of the discretionary power confided by law to the head of any such department. If, for example, the secretary of the department of war should be authorised to locate a township of land at his discretion, for the benefit of certain works of internal improvement, or for any other purpose whatever, can he perform the service according to the dictates of his own judgment, if it should please the president to substitute his own discretion for that confided by law to the secretary? Certainly not. The president would tell him, "Sir, you can hold no power which does not belong to me by inherent right; you are my subordinate; I am responsible for the faithful execution of the laws; you hold office under me and at my pleasure: you will therefore obey my commands, or give place to one who will conform to them." In such a case has the law or the will of the president the supremacy? The same principle is applied to every head of a department or officer of the government from the highest to the lowest, holding commissions at the pleasure of the president; and under its operation, no special power or duty can be conferred by legislation, whatever may be its importance, which is not rendered subservient to the dictatorial authority of one man, who thereby becomes the supreme arbiter of the laws and of the conscience of all who may from time to time be entrusted with their execution. Many practical illustrations might be given to show the manner in which these vast powers are carried into effect, but I have said enough to satisfy every unprejudiced mind of their omnipotence, and the process by which they are spread over all the departments, cannot be misunderstood.

The JUDICIARY is the only department exempt from the operation of this annihilating power. The judges hold their offices during good behaviour, and can only be removed from office by the judgment of the senate, sitting as a high court of impeachment. Thus protected against the strong arm of the executive and the conflicts of party strife, that enlightened tribunal, the supreme court of the United States, has heretofore sustained our national character by the learning, dignity and independence which adorn the eminent men who compose it, and by the unparalleled wisdom and impartiality which characterise its decrees. It was justly regarded as the rallying point of the friends of the constitution. But this sanctuary of the law is fast sinking under the withering hand of time, which has closed the mortal career of some of its brightest ornaments; and from the specimens we have had of those who are destined to take their places, we may soon expect to find a majority of that once pure and illustrious body, changed into drivelling partisans, who are prepared to give the stamp of judicial sanction to the new code of executive powers, from which there will be no appeal, save only to the people in their primary capacity or to the throes and convulsions of a tumultuous revolution. Whatever may be the ultimate fate of this only remaining department, having the semblance of independence, its judgments and decrees can never be enforced if the president shall think proper to interpose his power to prevent it. The same scythe which has lopped off the "tops of the taller poplars," may reach with equal effect, the dependent *branches* which surround our court of justice.

The marshals hold their offices during the pleasure of the president, and are subject to be removed at his will. If then the supreme or other inferior courts of the United States should pronounce a decision, which, after inspecting the record, the president should consider illegal or unconstitutional, what, I ask, is there to prevent his interposition to render such decision inoperative, during his continuance in office? Clearly nothing. The same process, by which he obtained the keys of the treasury, is open to him, and may be applied indiscriminately to all who hold commissions at his pleasure. His order to the marshal of the proper district, forbidding him to levy the execution on the property of the defendant must be obeyed, or his commission will be vacated, and a suitable successor appointed to do the bidding of his master. No plea of duty, constitution or law will avail any thing against the dictatorial authority of the chief magistrate in such a case. It may be said that the marshal refusing to execute the process of the court, would be subject to fine and imprisonment for a contempt of the court; this may be true, but the president would doubtless interpose the benefit of his pardoning power, and release him from any sentence of fine and imprisonment, which may have been pronounced against him. Thus the courts of justice might be contemned by their own officers, and the judges rendered powerless in their seats for all effective purposes.

I have, fellow citizens, presented to you the preceding narrative of undeniable facts, all of which can readily be verified by reference to official documents and the acts of the government, without comment or illustration, and as such submit them to the calm, candid and dispassionate consideration of every reflecting mind. They unfold to public view the bold assumptions of power, and the specious pretexts under which it is attempted to justify them, which are at this moment recognised by the dominant party in this country, as the true theory contained in the constitution. Is this the free government handed down to us by the patriots of the revolution? Did any man ever imagine that a mass of undefined power lay concealed under the enumerated powers granted in the constitution to the federal government? There is not in the history of the national convention, or the state conventions, while the system was under consideration, any proposition or a single expression used in debate, which can in the slightest degree justify the inference that a concentration of these vast powers in an elective chief magistrate, was either desired or deemed to be possible in the practical administration of the government. But yet we have arrived at that conclusion by a *judicious* arrangement of the granted powers, and their appropriation to purposes inconsistent with the spirit of the constitution.

It was a *sine qua non* with the framers of the constitution, to separate the departments of power and render each independent in the discharge of its legitimate functions. We have hitherto believed that principle to lay at the foundation of our system, and that we lived under a government where the law was supreme over the people, and every branch of its administration. But is it so? I have shewn by undeniable facts, that at this early period of our history, all the essential powers of the government are merged in the executive head. The ramparts erected to separate the departments have been razed to the earth, and a power has mounted on their ruins, which admits of no restraint, unlimited in its extent, and undefined in its nature. The checks provided for in the constitution are overthrown, and the wide scope of legislative, executive and judicial powers are, for all practical purposes, absorbed and consolidated in one department of the government, controled by the arbitrary direction of one man. The veto in its various phrases; *inherent* powers; all executive powers, even such as *pre-existed* the constitution; the power to "see that the laws are faithfully executed;" the direct responsibility of the president to the people, and of all subordinate agents to him as their great head and protector; but above all, the sweeping power of removal from office; these are the *nucleus*, out of which that frightful gorgon called executive prerogative has sprung, whose mighty arm has removed the strong pillars on which the temple of liberty reposed, and the superstruction has fallen at his feet, a heap of irretrievable ruins. Is it possible that this wide range of constructive powers can find support in the breasts of the sober, reflecting portion of the people of this country; which has hitherto so proudly boasted of its freedom? I hope not; but if in this I shall be disappointed, and all the people shall rise up and cry aloud for one man to rule over them, then I say that the free government which we received from our ancestors, is transformed into an elective despotism, which containing in its organization the odious ingredients of *power and corruption*, is incomparably more detestable than king, lords and commons with a privileged clergy at their back, or the imperial diadem of the autocrat of Russia. The remedy is in the hands of the people, and if they do not come forth in the majesty of their strength, to redeem the fallen liberties of their country, they alone are answerable for the consequences, to God and their posterity to the latest generation. I warn them to reflect that the course of power is onward; one step is followed by another until it reaches the summit of its utmost ambition, where it may sit secure from all danger, and hear with scorn and contempt the complaints of the multitude or the impotent taunts of popular indignation.

The arrogance of those in power does not permit us to stop at its encroachments on the laws and constitution of our country, but in their mad career, encouraged and upheld as they have been by the recent results in their favor, of popular elections in several states of the union, president Jackson has thrown off the mask, and boldly marched forth to nominate his successor, who it seems is to *perfect* the work which he has so "gloriously begun." The mantle of the dictator has fallen on his *Sejanus*, Martin Van Buren, of New York, and all other favorites or expectants are commanded to stand aside, on pain of incurring the high displeasure of their chieftain, and of being denounced and advertised as deserters from the Jackson cause, and unworthy to be numbered among the members of the great democratic, republican party, to whom belong the distribution of the "spoils of victory." This is perhaps the last trial to which the independence of the American people will be put under this high handed dictatorial administration. If the freemen of this country, by casting their votes in favor of the nominee of the president, bow the knee to a political *Baal*, and become the humble vassals of power and ambition, we may bid adieu forever hereafter to the free exercise of the elective franchise, and at each succeeding presidential canvass, the question will not be, who is the most worthy to be honored with the first office in the gift of the people, but who has been the selected candidate of the incumbent who is about to retire.

The machinery of the "*party*" has already been put in motion and has received its impetus from the "*steam doctor*" of a self created body of men assuming the name of a national convention of delegates "fresh from the people." *And such a convention!!!* The offspring of intrigue and corruption, it was enabled to survive the shock of public indignation only by an imperial edict from the palace, promulgated for the edification and instruction of the officeholders, officeseekers and the rest of the *democratic family*. Of whom it was composed and how chosen, I will not particularly speak, as enough has already appeared to draw down on that anomalous assemblage the contempt and ridicule of every honorable man, whose mind is not influenced by the arts or duplicity of selfish considerations.—We have the *commanding* authority of president Jackson to vouch that it will be nothing short of *treason* to resist the nomination made by this convention of *notables*. The choice then is already made, and it only remains for the "party" to avoid the penalty of treason by the mere formality of a ratification, when the period arrives at which that high duty is to be performed. But how does this *dictum* square with the constitution of which he is the sworn protector? That instrument provides that no member of either house of congress shall be chosen an elector of president and vice president of the United States, and yet it is certain that both senators and representatives in congress were members of, and assisted in the nomination made by this famous Baltimore convention. If I mistake not they took the lead in carrying through those nominations, by their active exertions and if indeed it is to be set down as treasonable for any citizen in the exercise of his right of suffrage to withhold his sanction from the persons nominated, then we have in effect senators and representatives in congress, participating in the choice of a president and vice president, in violation of an express clause in the constitution. Here is a case calling clearly for the veto of the people, if it should escape the searching eye of the chief, under whose orders these nominations were made. It is a gross libel on the people of the United States, whose votes have been transferred to the executive nominee, to say that they were represented in that convention. In no one instance were the hundredth part of the people of any state consulted in the selection of its members. Of my own state, I can say with certainty that its sentiments were totally misrepresented, and out of some twenty or thirty delegates appointed for the purpose, most of them took the alarm, and preferred to stand on the non-committal list until they saw on which side the spoils would be most likely to fall, and so remained at home; only two attending to endorse over the state to the Albany regency. Of these one was perhaps the most suitable person who could be sent on such an errand, for by a *peculiarity*, in his physical organization, it was impossible that he could be changed into "*a White man*," and for this reason I

presume he was selected as one of the vice presidents of the convention. He is of the real Van Buren Johnson stamp. His colleague who is known at Natchez by the cognomen of "the red pepper doctor" has of late taken it into his head to turn politician, and scribble an article now and then for the newspapers; he is a prodigious man in the Jackson, Van Buren ranks, and expects to be rewarded. He has mistaken his talent and would do well to confine himself to the shop.

TENNESSEE had still worse luck, for being wholly unrepresented in that august body, the "democracy" of the country then and there assembled, laid violent hands on a strolling "steam doctor," who happened to be passing through Baltimore, and *vi et armis* threw around him the *lion's skin*, and having made his confession of faith, he was admitted to a seat in the convention, and *roared* out fifteen votes for Van and the same for Johnson. The good citizens of Tennessee, thus transferred on the true *democratic plan*, will be left to the alternative of sustaining these nominations, or incurring the sentence of excommunication, as traitors to the "party." The vote of KENTUCKY was pledged by men who had received their appointment from a caucus composed of a minority of the legislature, and some of them made their appearance with no better authority than the steam doctor of Tennessee; but in addition to this summary mode of relieving your people from the perplexing duty of thinking for themselves, in so important a matter as the choice of their chief magistrate, you have been unceremoniously burdened with the performance of the same friendly office for the people of ILLINOIS. It seems that a small group of registers of the land offices—receivers of the public moneys, and postmasters assembled in that state, and in their *holy* zeal for the triumph of democracy, drew in a bill of exchange on the deacons of the church in Kentucky for a *Pew* and one *More!* a *race horse* bill and having no funds of the drawers, it assuredly ought to have been protested. I might refer the delegations of all the states to demonstrate, that so far from their coming "fresh from the people," they were chiefly composed of cohorts "fresh" from the palace and of officeholders or expectants who labor in their vocation and receive their reward out of the national treasury. This solemn farce has been enacted in the face of the American people, and it only remains to be seen whether their suffrages can be thus bought and sold in the market like bank stock, for the exclusive benefit of a central *junto* at the city of Washington and their hungry retainers throughout the union.

In this unblushing attempt to forestal public opinion, and place the sacred right of suffrage under the dominion of a popular chieftain, who in this enlightened age and country has dared to interfere with the freedom of elections, by designating the person most worthy to succeed him, we plainly discern the decline of free principles, since this government was put in motion by Washington, and his compatriots in the great struggle for national independence. No former chief magistrate could have thus acted, without incurring the indignant frowns of an insulted people. And for what purpose has president Jackson issued his decree appointing the succession in the person of Martin Van Buren? It has been announced by the heir apparent, in his letter to the convention, in which he expresses the happiness it will afford him to "perfect the good work which has been so gloriously begun"—well might he use the word "begun," for it is of modern origin and was never dreamed of by the predecessors of him, under whose auspices it has been so "gloriously" commenced. It is nothing more nbr less than the consolidation of supreme power in the executive department, with the necessary appendages of regal prerogative; the prostitution of the press by bribery and corruption; the spoils of victory and proscription for opinion's sake; an organized system of bringing the patronage of office in conflict with the freedom of elections; and last, though not least, the divine right of regulating the succession to the executive chair for all time to come. This is the work "so gloriously begun" by the present incumbent which Mr. Van Buren would be most hapy to "perfect."

This is the last effort of expiring despotism; it is a bold attack on the freedom of opinion and the right of suffrage as secured by the constitution; its end is corruption and despotic rule, and if sanctioned by the people in their sovereign capacity, then indeed may the friends of liberty hang their heads in despair, and proclaim to the world the melancholy truth, that the days of the republic have already been numbered. But my confidence in the integrity and patriotism of my countrymen is unimpaired; they will yet cast from them the band of political jugglers, who have deceived and misled them by false guises, and come to the rescue of liberty and the constitution.

Fellow citizens—I am not one of those who deprecate the influence of party differences on the free institutions of the country. Parties formed on the basis of opposite opinions, on the fundamental principles of the government and measures of national policy, serve rather to invigorate the health of the political body, by free, frank and full discussions, by means of which the public mind is enlightened and the attention of the people attracted to the slightest invasion of their rights; but parties originating in the conflicts of personal ambition, and discarding principles, waste their energies in *man worship*, may always be regarded as the certain precursors of corruption and usurpation. Against parties of this latter description, I shall ever be disposed to raise my voice and warn my countrymen of their dangerous tendency. The real struggle in which the whigs throughout the union are now engaged, is to repel this *hydra* from the minds of the people, and invite them to investigate the conduct of their public servants by the standard of measures, unencumbered with personal attachments or the gratification of personal ambition. The plain and simple difference between the whigs of the present day and our modern school of democracy consists in this: the former are the advocates of popular rights and the legitimate powers of the legislative branch of the government, and the latter support the doctrine of high prerogative in the executive head and of responsibility to the people through that department, for the enactment and execution of the laws. Or in other words, the whigs are in favor of a government of checks and balances, such as we believed ours to have been in its original structure, and their opponents are for an elective government, capable of controling the legislature by giving or withholding its assent to their acts, and of enforcing its sovereign will on every other branch of the administration.

There is a concise analysis of the grounds on which these two great parties are divided. Man worship is the steel on which the hopes of this self styled democracy rest. The evidence of its pervading influence are to be seen in every state of the union, and the strong hold which it has taken on the minds of the public, is among all the portentous signs of the times the one most to be deprecated in its results. I will present to you several striking examples of the truth of this *postulatum* without entering into minute details of which the materials are abundant in every quarter of the union. Since I had the honor to take my seat in the senate of the United States, the great state of Pennsylvania almost unanimously supported the policy of a tariff for the protection of domestic manufactures, the system of appropriations for works of internal improvement, and a recharter of the bank of the United States; and of the distribution of the net proceeds of the sales of the public lands among the several states, on the principles contained in what is familiarly known as "Clay's land bill." Down to the year 1833, the senators and representatives in congress from that state, gave their unqualified support to these great measures. They are now abandoned and denounced as political heresies and monsters, on which the curses of the people ought to fall with deadly force. Prior to the veto of president Jackson on the bill rechartering the bank of the United States, the legislature of Pennsylvania on two several occasions, with a unanimity almost unprecedented, memorialised congress to grant a new charter to that institutution. It has suddenly been transformed into a frightful monster, and its friends denounced as a moneyed aristocracy seeking to oppress the poor, and corrupt the public morals by bribery and corruption!! How are we to account for these sudden changes in a whole community, without any intervening circumstances to produce them. It cannot be ascribed to any other cause than the blighting influence of *man worship*.

Again: when Missouri applied for admission into the union as a sovereign state on an equal footing with the original states, the senators and representatives in congress from the non-slave holding states, with a few honorable exceptions, attempted to impose on her as a conditional precedent, an odious restriction to be incorporated in her constitution, forbidding the introduction of slaves into the state and prohibiting altogether domestic slavery as it existed anterior to the cession of Louisiana to the United States by France, and as it then existed in the territory. This attempt to dictate an article in the constitution of one of the new states was without precedent, and amounted to a direct attack on self government and state sovereignty. The question excited intense interest throughout the union, and on its decision depended the internal peace of the country and the integrity of the union. At this important crisis when civil war with all its terrible consequences hung suspended over the heads of the American people, Martin Van Buren, then a member of the legislature of New York, exerted all his talents and influence not to avert the blow which was about to be aimed at the sovereignty and independence of Missouri, and restore tranquillity to the country, but to fasten on her this odious and unconstitutional restriction and thereby establish the principle that no new state should ever be received into the union, without an article in her constitution prohibiting domestic slavery. His zeal was strongly manifested on this subject by the cordial support he gave to Rufus King, a federalist of the old school, in his re-election to the senate of the United States, on the express ground that he was the most able and efficient advocate of the proposed restriction on Missouri, who could be selected to represent the state in the senate. The former opponents of Mr. King, at whose head stood Mr. Van Buren, unanimously voted for him for that reason only. What man was it, who stepped forward at that critical moment of our political history to defend the cause of Missouri, and redeem his country from the civil commotion, which threatened to disturb its repose and overturn its institutions? We all remember the interesting and alarming posture of our affairs at that period, and no man can have so soon forgotten, that it was in the person of your distinguished senator, who sits near me (Mr. Clay), in whose eloquence and patriotism Missouri found a friend and the union a deliverer from the dark cloud of civil discord which hovered over the land. Yes! fellow citizens, HENRY CLAY, that much abused patriot, to whom the nation is so much indebted for whatever of freedom and prosperity it enjoys, stepped forth, the bold and fearless champion of Missouri; and by his manly efforts rescued her from the humiliating trammels which Martin Van Buren and his confederates would have imposed on her. He nobly took this young sister of the far west by the hand, and introduced

her into the great family of states which composed this confederacy, unfettered by the vile chains, which others had forged for her.

If some intelligent stranger were informed of the history of this memorable transaction, and should be told that the people of Missouri had before them the alternative of selecting Henry Clay or Martin Van Buren, for the first office in the gift of the nation, in whose favor would he suppose the vote of that state would be cast? His mind would unhesitatingly come to the conclusion, that her benefactor would be chosen by acclamation, in preference to an opponent who had endeavored to degrade and oppress her. This would be the reasoning of all mankind on a bare statement of the facts. But it is far otherwise; the people of that state have inverted the order of human gratitude, and sing hozannas to their ancient persecutor, while they revile and denounce their distinguished champion and benefactor!! To what cause can we trace this singular state of public feeling? It springs from man-worship. Without attempting to multiply particular examples of the overwhelming influence of man-worship, I may at once point you to all the states situated in the valley of the Mississippi. We find a large majority of the senators and representatives in congress, standing in opposition to measures of general policy, calculated to promote the prosperity of their constituents, and approving others manifestly injurious to their interests; thereby following the direction of one man, regardless of the consequences of their acts, and the interests of the people whom they represent. I will not detain you to consider all these matters, but I may be permitted to express my surprise that a chief magistrate, who will not allow the appropriation of a single dollar out of the public treasury, to open and improve the navigable rivers of the western states, should receive the undivided support of the representatives from many of these states, most deeply injured by his executive interposition. Is there no man-worship in this?

But there is another and more important measure which has perished under executive denunciations, the want of which will be felt in a few years by the whole union, and more especially in the valley of the Mississippi. I allude to the establishment of a sound national currency. The destruction of this currency by the executive veto on the bill to recharter the bank of the United States, and the subsequent removal of the public deposites, may be ascribed to the wily policy of that man, who is now before the nation, as the nominee *par excellence* for the presidential chair of the nation. His influence over the mind of the president, and the cabal by whom he is surrounded, placed his victim within the power of his vengeance. He took care to make good use of the means thus placed at his command, for the accomplishment of his object, and this "glorious" work may now be set down as one of the things "begun" which had already been made "perfect." The seizure of the public money had become necessary to preserve the safety fund systems of banks in New York from total bankruptcy. The measure was matured in the city of Boston, at a time when the president was confined to a sick bed and unable to transact business of any kind. Mr. Van Buren was in constant attendance at his bedside; and on the 26th of June, when, according to the report of the physician, president Jackson was incapable of mental or physical exertion, this most important fiscal measure was finally adopted, and a letter addressed to Mr. Duane, the secretary of the treasury, commanding him forthwith to prepare for the removal of the public deposites from the bank of the United States. Why was this letter forced on the president at such a time, and under such peculiar circumstances? The reason is obvious. It was a measure of fearful responsibility which Mr. Van Buren would not have dared to meet; the health of the president rendered it doubtful whether a vacancy might not happen, which would have placed him in the executive chair; and to provide for such a contingency, this letter was written as the last will and testament of Andrew Jackson, on this item of his administration. And in case of his death, the magician would have come in as his executor *de bonis non*, to carry into effect the dying wishes and intentions of the illustrious testator. He wanted the money and must have it, but doubting his own strength to carry into effect a measure so bold and daring, he very prudently determined to put himself in a situation to say "I am only executing the orders of your beloved chief, as he would have done had he lived."

I mention this fact to put it beyond doubt that this act done in violation of the constitution and law, was a part of the policy of the Albany regency, for the immediate relief of their failing banks, but which was to be consummated by the ultimate destruction of a national currency. The downfall of the bank of the United States was a measure intimately connected with local interests of New York, which it was exclusively intended to promote. But in the same proportion that these local interests have been benefitted, the interest and convenience of other sections of the union must be impaired. Through the agency of a national bank, acting as the fiscal agent of the treasury, the surplus revenue is distributed among all the states of the confederacy by means of its branches, to meet the demand of the government in the payment of the public creditors. In this manner each state may enjoy the benefit of its just proportion of the money remaining in the treasury. But if there be no such general machine to carry out the fiscal arrangements of the department, it is evident that the customs received at the port of the great commercial city of New York, amounting annually to ten or twelve millions of dollars, must be deposited in the local banks, chartered by the legislature of the state, for the benefit alone of these institutions, and to the exclusion of every other portion of the union. This is one advantage which that great city will derive by the prostration of a national bank, but there are others of a still higher importance. It will give to that city the command of the fiscal concerns of the country, and the regulation of the domestic exchanges, whether it consists of bank paper, or bills of exchange. The greater part of the exchange capital of the country will be deposited in New York, and the rate of exchange will be fixed by the brokers in Wall street. It is the great emporium of foreign commerce, and the merchants of the interior, in every quarter, are debtors to the importing merchants of that city for their annual supply of foreign goods, wares and merchandise, purchased for the consumption of the country.

How are these debtors to make their remittances in the absence of a national currency which is equivalent to gold and silver wheresoever it may be offered? This can only be done through the medium of bills of exchange, and the notes of state banks, received at the places respectively where the debtors reside. In either of these modes the payment will be made at the loss of the rate of exchange, or the discount on the paper of state banks not current in New York. The discount may be estimated at an average of ten per cent. on all the notes of banks in the valley of the Mississippi. Thus while the state bank paper of New York will be above par as a medium of remittance, on the waters of the Ohio and Mississippi from Pittsburgh to New Orleans, our state bank paper will stand at 10 or 13½ per cent. below par at New York.

The discrimination will operate as a tax on the annual income of the planter throughout that immense and fertile region, and every branch of industry and enterprise will feel its effects to the extent of the discount charged on our bank paper by the brokers in the northern cities, and particularly New York, to which place a large proportion of our remittances are made. These are some of the blessed effects of the expulsion of sound national currency, and the substitution of a worthless medium, with which the country will soon be inundated. This subject, which I have barely touched, to draw public attention to it, is susceptible of a great variety of views, which it is impossible for me in my present exhausted condition to examine. Is it not passing strange that the people spread over the vast extent of country west of the Alleghany mountains, every man of whom is deeply interested in preserving a sound general medium of circulation, should yield their support to a system in direct opposition to their interests, for no better reason than their devotion to their chief magistrate, whose will becomes law wheresover it may be announced among them? These are the fatal effects of man worship, and of parties founded on that corrupt basis.

Fellow citizens: Before I resume my seat allow me to admonish my friends, the whigs of Kentucky, to remain firm and united. Where our opponents are strong, they show us no quarters, but where they are weak and in a hopeless minority, they recommend mildness and no party distinctions. "Here, gentlemen is a good man, but he differs with you in some things; he is not a violent man; do show your liberality by electing him to represent you in the legislature; it will have a happy effect in putting down the spirit of party." I beg you to listen with great caution to such appeals; your opponents would laugh at them. In the midst of the great west, which is fast growing into importance, where the hand of power, and the corrupting influence of patronage, have made deep inroads on the independence and patriotism of a misguided people, I beseech you to cling to your principles, regardless of private or personal considerations, and thereby preserve for this great and respectable commonwealth, the proud distinction of remaining unmoved by the temptations of office, and unawed by the frowns of power; steadfast in her devotion to the constitution, the laws and the precious inheritence to liberty, which, by the blessing of heaven, her sons will protect and defend, for their posterity to the latest generations.

I have, fellow citizens, retired to the shades of private life; I carry with me the proud assurance that I have on no occasion, surrendered my own convictions of duty to the dictation of any man on earth; that I have spurned the menaces of power and the poisoned arrows of a pensioned press; that I have looked with an eye that never winked to the great principles of the constitution and sanctity of the laws; that the public good has been the object which I desired to attain, regardless of my own personal advancement or aggrandizement. And if, in the progress of human events, I should never again enter the councils of the nation, these reflections will be to me a source of proud and lasting consolation, which I would not exchange for all the honors which could be conferred on me as the price of a servile submission at the feet of a military despot. I shall ever cling to the constitution as the ark of our political safety, and whenever or however it may be assailed by internal or external foes, I shall be found among the whigs who have so nobly defended it; and if I must fall among the ruins of the citadel of liberty, my expiring breath shall ascend to the throne of God in prayers for its safety and preservation.

Gov. Poindexter sat down amidst loud and repeated cheers, after which he offered the following toast, which was received with acclamation by the whole company:

The memory of Isaac Shelby—May the laurels of King's mountain and the Thames, won by his valor, grow and flourish an evergreen o'er his tomb, watered by the tears of a grateful people.

CURIOUS PROPERTIES OF THE FIGURE 9.

The following discovery of remarkable properties of the number 9 was accidentally made by Mr. V. Green, more than fifty years since, though, we believe not generally known.

9 multiplied by 1 equals 9; 9 added to 0 equals 9
9 multiplied by 2 equals 18; 1 added to 8 equals 9
9 multiplied by 3 equals 27; 2 added to 7 equals 9
9 multiplied by 4 equals 36; 3 added to 6 equals 9
9 multiplied by 5 equals 45; 4 added to 5 equals 9
9 multiplied by 6 equals 54; 5 added to 4 equals 9
9 multiplied by 7 equals 63; 6 added to 3 equals 9
9 multiplied by 8 equals 72; 7 added to 2 equals 9
9 multiplied by 9 equals 81; 8 added to 1 equals 9

The component figures of the product, made by the multiplication of every digit into the number 9, when added together make *nine*. The order of these component figures is reversed, after the said number has been multiplied by 5. The component figures of the amount of the multiplier, (viz: 45) when added together make *nine*. The amount of the several products, or multiples of 8, (viz: 405) when divided by nine, gives for a quotient, 45; that is 4 added to 5 equals 9. The amount of the first product, (viz: 9) when added to the other products, whose respective component figures makes 9, is 81; which is the square of 9. The said number 81, when added to the above mentioned amount of the several products, or multiples of 9. (viz: 405) makes 486, which, if divided by 9, give for a quotient 54, that is 5 added to 4 equals 9. It is also observable that the number of changes that may be rung on 9 bells, is 362,880; which figures added together, make 27; that is 2 added to 7 equals 9. And the quotient of 362,880, divided by 9, is 40,320; that is 4 added to 0 added to 3 added to 2 added to 0 equals 9.

CINNAMON FIELDS OF CEYLON.

"*August* 31. Our morning was, as usual on a first arrival, taken up by visits; in the afternoon we drove in sir E. Barnes' sociable through the far-famed cinnamon gardens, which covered upwards of 17,000 acres of land on the coast, the largest of which are near Colombo. The plant thrives best in a poor, sandy soil, in a damp atmosphere; it grows wild in the woods to the size of a large apple tree, but when cultivated, is never allowed to grow more than ten or twelve feet in height, each plant standing separate. The leaf is something like that of the laurel in shape, but of a lighter color; when it first shoots out it is red, and changes gradually to green. It is now out of blossom, but I am told the flower is white, and appears when in full blossom to cover the garden. After hearing so much of the spicy gales from this island, I was much disappointed at not being able to discover any scent, at least from the plants, in passing through the gardens; there is a very fragrant-smelling flower growing under them, which at first led us into the belief that we smelt the cinnamon, but we were soon undeceived. On pulling off a leaf or twig you perceive the spicy odour very strongly, but I was surprised to hear that the flower had little or none. As cinnamon forms the only considerable export of Ceylon, it is of course preserved with great care; by the old Dutch law, the penalty for cutting a branch was no less than the loss of a hand; at present a fine expiates the same offence. The neighborhood of Colombo is particularly favorable to its growth, being well sheltered, with a high, equable temperature, and as showers fall frequently, though a whole day's heavy rain is uncommon, the ground is never parched."

[*Bishop Heber.*

THE FEAST OF THE BAIRAM.

"I have since visited Constantinople on the first day of the feast of the Bairam. Oh! what a happy day was that! Every countenance graced with a smile; the beggar himself a king! The ships of the navy gaily dressed in innumerable flags; the forest of merchant vessels in their national colors. The sultan comes from his kiosk, on the European side of the Bosphorus, and debarks at the golden gate of the seraglio from his thirty-six oared barge, accompanied by others of equal magnitude, the splendor of all of which must be seen to be conceived. I have often endeavored to imagine what might have been the splendor of the barge in which Cleopatra displayed so much magnificence; but all my imaginations never equalled one-tenth of the splendor of those of sultan Mahmoud. Description can give you no idea; and, therefore, I shall not attempt to describe them. If, however, I ever have it in my power to obtain an accurate drawing of them, I will send it to you.

"From the entrance of the golden gate, which opens on the entrance of the port of Constantinople, the sultan proceeded to the seraglio, and thence through the sublime porte, (which opens on the side near to St. Sophia), proceeded to the mosque, where he performed his devotions.

"I did not wait to see his return to the seraglio, but proceeded to witness his embarcation at the golden gate after his return. Myself and my companions only had the enjoyment of this spectacle.

"At the sublime porte the sultan's exit was preceded by the officers of his household, splendidly dressed, and mounted on richly caparisoned horses. Next came the divan, in like manner dressed and mounted; next the officers of state; then fifteen or twenty of the sultan's most beautiful horses, led by their grooms—a noble sight and worthy of being exhibited, whether for the beauty of the animals or the richness of their caparisons, which nothing could excel. Next came the sultan's pages, gorgeously arrayed in embroidered frock coats, and caps decorated with lofty curved plumes, of a singular fancy, and ornamented with flowers. The pages were not mounted. The sultan next appeared—the plainest dressed man of the pageant, and mounted on the finest horse. He looked, however, 'every inch' a sultan. After him came eunuchs, black and white, and a numerous troop of personal attendants richly dressed, and on foot. The whole procession passed between four lines of soldiers under arms, who presented them the instant of the sultan's appearance at the porte, and at the same moment the numerous band of the guards struck up the 'March of the sultan.' It was a splendid and an animated scene.

"I remained about an hour in a boat lying off the golden gate, where the sultan's barges had been sent to receive him. The whole quay was covered with soldiers drawn up to salute him. At length the gate flew open, the sultan appeared with his pages and eunuchs, and accompanied by two little boys, whom he embraced on leaving, and was assisted into the boat by two eunuchs, who placed themselves at his feet. The boat put off, and with the rapidity of lightning cut the waves for Tophana. The other barges, with the most distinguished of his officers on board, followed. The saluting battery fired a salute of twenty-one guns, and I took my departure. The sultan was received at Tophana, (which is the grand foundry and laboratory of the empire), with the same number of guns, and by a numerous body of troops under arms. He inspected the establishment, and some improved guns recently cast there, and thence returned to the place of his usual residence higher up the Bosphorus. For days afterwards there was nothing but feasting and frolicking; and I must aver, that among the young men, that is to say, the young officers of the new troops, I saw more drunkenness than was consistent with the Turkish character for sobriety, or with the precepts of the koran. There is this, however, to be said in their palliation, that the Christian carnival was celebrated during the ramazan, and a short time before the bairam, during which the drinking, carousing, frolicking, masquerading Greek exhibited no good example of temperance, but which, I own, after a long period of fasting and penance, even a Mussulman might be inclined to follow."

NATURAL CURIOSITY.

A correspondent has furnished us with the spirited sketch which will be found below, of a piece of scenery which has, we believe, notwithstanding our "national indifference to natural scenery," long been a favorite resort.

[*Greenfield Mercury.*

In the town of Leyden, 6 or 7 miles from this village, is one of the most remarkable natural curiosities that can be found in New England. It is commonly called The Glen: and under that name Mrs. Hitchcock has given a view of one of the most striking scenes in it, in the plates that accompany her husband's geological survey. A large brook, ordinarily sufficient to turn a mill, winds its course slowly along through some beautiful meadows that lie on the northern side of the mountains, which rise abruptly between this town and Leyden. The level, carpet green of the meadows is skirted by a very high ridge of rocks, which rise directly and almost perpendicularly out of the turf. Here, the stream, which had before crept slowly along, nearly at a level, suddenly dashes into a bold, cavernous notch in the mountain, and rushes down a series of precipices, which stretch into the bowels of the earth for the distance of a mile. As you enter this wild and striking place, and creep down the successive descents, which involve just enough of danger to make it very exciting—the vast walls of rock become more and more steep on both sides, and the thick woods, which grow a hundred feet over head, unite their branches so completely as to exclude all view of the sky and prevent any but a pale sort of moon light from finding access even at mid-day. The old, hoary trunks of trees, which have fallen in from the steep sides, here and there afford a rough bridge for your descent, as you pass from one to the other side in clambering down the course of the water. The rocks are frightfully rough and jagged and frequently display vast seams running in various directions under water, showing the different deposites of which they are composed, and which have been laid bare by the constant wear of the current. The clear cold water often pauses in deep basins under the different cascades, and affords a retreat for trout, which probably never saw the light of the sun. After toiling down for about half a mile, with infinite fatigue—the consciousness of which, however, is prevented by excitement—you suddenly descend into a kind of amphitheatre, where the sides of the ravine recede so as to admit the sun-light into the centre. This is the spot delineated by Mrs. Hitchcock; and any one who has seen it, will agree with us, that if it were in Scotland or Switzerland, it would be celebrated all the world over. Yet, such is the effect of neighborhood, or of our national indifference to natural scenery, that there are probably hundreds of people who have lived all their days within 10 miles of this remarkable object—and never seen it. We do not hesitate to say, that the traveller who passes through this village on a tour of pleasure, to the

springs or elsewhere, would be rewarded by tarrying a day to go out to this curious scene; and would thank the person pointing it out, as having shown him something quite as remarkable, in its way, as Trenton, the falls on the Catskill, or Anthony's Nose.

ROCK FORT, ON THE ILLINOIS RIVER.

This is an elevated cliff on the left bank of the Illinois, consisting of parallel layers of white sandstone. It is not less than two hundred and fifty feet high, perpendicular on three sides, and washed at its base by the river. On the fourth side it is connected with the adjacent range of hills by a narrow peninsular ledge, which can only be ascended by a precipitous winding path. The summit of this rock is level and contains three-fourths of an acre. It is covered with a soil of several feet in depth, bearing a growth of young trees. Strong and almost inaccessible by nature, this natural battlement has been further fortified by the Indians, and many years ago was the scene of a desperate conflict between the Pottawatimies, and one band of the Illinois Indians. The latter fled to this place for refuge from the fury of their enemies. The post could not be carried by assault, and tradition says that the besieged let down vessels attached to ropes of bark from a part of the precipice which overhangs the river, but their enemies succeeded in cutting off these ropes as often as they were let down. The consequence was a surrender, which was followed by a total extirpation of the band.

On gaining the top of this rock, we found, says Schoolcraft, a regular entrenchment, corresponding to the edge of the precipice, and within this other excavations, which, from the thick brush and trees, could not be satisfactorily examined. The labor of many hands was manifest, and a degree of industry which the Indians have not usually bestowed on works of defence. We found upon this elevation broken muscle shells, fragments of antique pottery, and stones which had been subjected to the action of heat, resembling certain lavas.

From this elevated spot an extensive and diversified view of prairie scenery is presented and the objects about our encampment reduced to a diminutive size.

"How fearful!
And dizzy 'tis, to cast one's eye so low!
The crow and coughs that wing the midway air,
Show scarce so gross as beetles."

ST. CLARE'S NUNNERY, NEAR PITTSBURGH.

TO THE PUBLIC.

The removal of the members of the institute of St. Clare, from their late residence, commonly styled "the Pittsburgh nunnery," having given occasion to some malignant reports, prejudicial to the character of these ladies, I deem it right to state the real cause of this measure. Some time since a member of the institute, who had been engaged in teaching a school in Michigan, came to the institution, and was dismissed the same evening, as she was not furnished with the usual document certifying the will of the superior. The bishop of Detroit, who is invested with the authority of provincial of the order, soon after sent an order for her admission; but the lady in charge of the institution, declined to obey, alleging that it was not compatible with the rules of the institute. She was subsequently introduced into the community against the will of the members, who have continued to reclaim against the measure. This resistance to authority was, I am convinced, the sole cause of the ecclesiastical censures, which the prelate inflicted. I am conscientiously persuaded that no ground whatever exists for any charge of immorality, and that no measure was adopted by the bishop on any such ground. As to the proceedings by which they have been ejected from their residence, I am unable to state how far they were authorised by him.

In regard to the attempt made to connect a fact of a disgraceful nature with the community, and to involve, likewise, the character of the respectable pastor of St. Paul's, I presume the public are now fully aware that it is entirely destitute of foundation. The evidence which is ready to be laid before the public tribunals, when the suits for slander which are now pending, shall be tried, will remove every shadow of doubt on this subject.

FRANCIS PATRICK KENRICK, *bishop, &c.*

Pittsburgh, August 1, 1835.

On which the Pittsburgh *Advocate* observes—

"We are glad to learn that the whole history of the late proceeding at this institution, which have been the theme of so much speculation and private injury will be published in a short time. We know the gentleman who has charge of the materials, and can promise that from his talents, full knowledge of the whole affair, and unimpeachable integrity, the public may look for some curious and interesting developments, which if we mistake not, will blanch the cheeks of some who are now the busiest and loudest bawlers against "slanders, defamation, &c."

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The public will wait the "developments" spoken of. The "malignant reports" of which the bishop speaks, are of an appalling character—as that a parent recently called to see his daughter, and was refused admittance. He, therefore, rallied some friends to assist him, and on accomplishing his entrance, found his daughter a mother! She, among many others, had been sent there to be educated; and it is added that "several of the other young ladies *were in a very delicate situation!*" But worse still. We quote: "on searching the secret subterranean recesses of this priest's seraglio, many dead infants were found entombed within them, to the utter horror and astonishment of the beholders!"

It will require very strong proof, indeed, to make us believe that any thing like these have happened. To say nothing about *principle* in this matter, it was so evidently against the *interest* of the parties that, we think, it *could not* have occurred. The preceding reports are gathered from a Cleveland paper. We do not believe that there is the least foundation, in truth, for them.

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To the just Protestants of Pittsburgh:

Much to be deplored is the spirit of the times, which renders it necessary for me, after a period of almost nine years spent with approbation and an unblemished name in the Catholic ministry of this state, and possessing the utmost confidence of a large and respectable congregation in this city, thus publicly to appeal to you in self vindication against the slanderous tongues, which in my recent absence on account of ill health, so wantonly and basely assailed my character. Were those slanders confined to the region of Pittsburgh, and those places where I am known, there would be little to apprehend from the consequences; the tale of falsehood would carry with it its own confutation, and I would be disposed to regard them with silent contempt. But assured of the wide and rapid spread of those infamous rumors, and the additional coloring they assume as they are repeatedly told or pass through the bigoted pages of the sectarian press, I deem it a duty I owe not only to myself, but to justice and truth, to put to silence and shame the maligners of my reputation, by a simple statement of the following facts:

1. It is a fact, that for the last two years and upward, I have had no connexion whatever with the convent of Mt. Alvernia, near Alleghenytown, except as a *rare* visiter, and even so by special request or invitation. With the spiritual or temporal director of that community or their school, I have had nothing to do. Neither am I concerned in their late removal. They had, and have to this day, for their chaplain, an aged priest, the rev. F. Van De Weyer, whose age and acknowledged virtue elevate him above suspicion, even in the *jaundiced* eye of anti-Catholic defamers.

2. It is a fact that the recent removal of the nuns originated, not from any exposure from latent vice—in this they challenge the most rigid scrutiny—but simply from a family dispute about authority, which they refused to recognise in the person of the provincial, the right rev. prelate of Detroit, who, in consequence of that refusal, and as legitimate proprietor of the establishment, appointed agents for its management. Of the justice or propriety of their removal, it is not my province, and therefore I forbear to speak. But this I say, that to the piety and virtue of these females, however they may be mistaken on a point of jurisdiction, there are many unsuspected and irreproachable witnesses.

3. It is a fact known to more than 2,000 persons present on the occasion, that on Trinity Sunday, the 4th of June, I announced from the pulpit in St. Paul's church, my intention to retire on a *tour of health* for a few weeks, during which the rev. Mr. Carrell had agreed to officiate in my place. Many Protestants and some Presbyterian ministers were present at the time in the church, who can testify to the fact. My departure therefore, could not be termed an "*elopement*," nor could it be a "secret" or "mystery" to any one in Pittsburgh, who was curious to know, save to those "dreamers of dreams," those bigoted slanderers, who to accomplish their end do not scruple to blacken the fairest characters, by the most wantonly wicked fabrications. It is well known that since the death of the rev. Mr. Maguire, I have been alone to sustain the pastoral charge of one of the largest congregations perhaps in the United States. And to one, who knows any thing of the duties of a Catholic pastor, it cannot appear strange, if a temporary respite should be deemed expedient. To me it was necessary. How unjust then, how barbarous and wicked to seize on the circumstances of my absence, and publish it to the world, as the result of aggravated infamy about to be exposed! Since my elevation, unworthy as I may be, to the Catholic ministry of this state, my flock as well as my honor has been as dear to me as life, and many are the pledges in my possession of affection reciprocated. Let then the humane, let honorable men judge of the injury done me. Judge of my feelings when, in Philadelphia, after an absence of five weeks, I was informed, for the first time, of all the wicked things malice had been doing to ruin my character and ministry, and snap those sacred ties which religion had connected between me and a beloved congregation. That congregation indignant at this outrage on their pastor's reputation, assembled by their representatives to express their abhorrence of the imputation, and without waiting my return or consent, immediately took judicial proceedings against some of the principal offenders. To say I despise this malicious attempt would be insincere. I confess it has given me the deepest pain, and great is the injury it was calculated to inflict. Yet am I disinclined to litigation. At any time I would rather suffer loss than seek redress by such a course. But the measures already taken could not by me, in justice and propriety, be rescinded, unless a Christian disposition were mani-

fested, and reparation corresponding to the injury made by those implicated in the offence. Although by the late events at Boston it has been more than obscurely proved how far anti-Catholic prejudice can pervert the courts of law and turn the scales of justice, especially when priests or nuns are concerned, yet we trust there is no Boston or Massachusetts here. It is hoped that in the law and its guardians in Pennsylvania, which, by the wise and humane policy of Penn, became one of the first asylums of religious freedom this side the Atlantic, sufficient stability and integrity will be found to secure to Catholics, and even priests, as well as to others, the impartial distribution of justice and equal rights. In this confident hope, I look for the vindication of my injured character, more precious to me than life, to the independent verdict of that law and an impartial jury of my Pittsburgh fellow citizens.

And therefore do I, respecting this unchristian attempt, without evidence or pretext, to villify a community of pious women, who had associated themselves together for the promotion of virtue and education, and to couple my name—though wholly disconnected with them, as participating in the alleged infamy, I appeal to the just and honorable Protestants of Pittsburgh and the country. I appeal to the editors of Pittsburgh and elsewhere, who have given circulation to these base slanders, and I ask it as an act of justice, that they publish this contradiction in their respective papers, and thus evince their disposition to repair the evil they have done, by arresting a falsehood in its course. JNO. O'REILLY, *pastor of St. Paul's.*

Pittsburgh, Aug. 4, 1835.

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To the editor of the Advocate and Advertiser.

SIR: I beg to state in reply to the remarks of "a just Protestant," that the letter written by me which appeared in your columns, was not at all intended to prejudice the causes now pending before the public tribunals, or to exercise any unjust influence on public opinion. It was written in consequence of the representation of the highly respectable Protestant physician who attended the community, and who thought that the real cause of its dissolution should be at once stated, that the members might not any longer, by a cruel silence, be left open to the suspicions and charges which a portion of the press had circulated. I am no party to the transaction, as the government of the institution was in other hands, and I am in no way connected with the actions for slander. Yours, respectfully,

FRANCIS PATRICK KENRICK, *bishop, &c.*

Pittsburgh, Aug. 11, 1835.

SMALL BANK NOTES.

From the Massachusetts Eagle.

MR. GOODRICH: Having been led by an article in your paper on the subject of "small notes," to look over some memoranda, with a view to ascertain the probable amount now in circulation issued by the banks of the New England states, I transmit you the result of my inquiry; thrown hastily into a tabular form; to which is added a comparative view of the situation of the banks of the United States, of England and of France, drawn from recent authorities.

Should you consider them of sufficient interest, please give them a place in your paper.

Approximate estimate of small notes, issued by the banks of the New England states, New York and New Jersey.

States.	*Bills under $5.*	*Bills of $5.*
Massachusetts	$1,800,000	$1,500,000
The other New England states	2,000,000	1,500,000
New York	3,700,000	4,500,000
New Jersey*	500,000	500,000
	$8,000,000	$8,000,000

Item. The amount of bills issued by the foregoing states, of the denominations of $5, and under, is equal to nearly half of the aggregate amount of *all* the bills issued by those states; and the amount of them, issued by those states *alone*, is equal to *eight-ninths* of the specie in *all the state banks.*

Comparative view, by approximation of the situation of the banks of the United States, of England and of France.

Countries.	*Capital.*	*Circulation.*	*Deposites.*	*Specie.*
U. S. bank	$35,000,000	$20,000,000	$11,500,000	$14,000,000
State banks	200,000,000	60,000,000	75,000,000	18,000,000
England	70,000,000	90,000,000	60,000,000	32,000,000
France	18,000,000	46,000,000		53,000,000

ISLAND OF CUBA.

We have extracted from Havana papers the following official statement showing the imports, exports and revenue of the island of Cuba in the year 1834.

Imports	$18,563,300
Exports	14,487,955
Imports from the U. States both in Spanish and American bottoms	3,240,680
Exports to the United States	4,694,364

The number of Spanish and foreign vessels which visited the ports of the island in 1832, amounted to 2,026—797 of which were Spanish, 945 from the United States, 113 English, 58 French, and the remainder belonged to various European nations.

The tonnage of all these vessels amounted to 300,000 tons.

Revenue of the island.

Duties on imported and exported goods	$5,200,000
Taxes and other sources of revenue	4,965,000
Total revenue	$10,165,000

The treasury of Havana, after meeting all the expenses of the civil list, providing for the maintenance of an army of 9,000 men, and sending two millions and odd dollars to the mother country, had, on the 1st of January last, a balance on hand of $644,000.

It is expected that the enlightened views of the present Spanish government with regard to the free trade of the island, and the suppression of various burthens which now check the progress of agriculture, will contribute towards developing all more the great natural resources of this island. [*Cour. & Enq.*

ELASTICITY OF STEAM.

Water boils at 212 deg. of Fahrenheit, but its expansion between 32 deg. the freezing point, and the boiling point is as 0.0433.

When steam is first generated from water at 212 deg. its force is reckoned at one atmosphere or a pressure of 15 lbs. to the square inch, and it increases in a geometrical progression of its temperature. The wonderful expansion of water when it has become steam, is illustrated in this way. A cubic inch of water at 40 deg. fills a space of 1,694 inches at 212 deg.

It is reckoned that a bushel of coals will convert 14 cubic feet of water into steam, occupying 1,330 times more space, and being capable of lifting 39 millions of pounds one foot high.

Force of steam. We often hear persons estimating the power of steam engines as that of so many horses, but the standard is not perfect to the mind without ascertaining what is equivalent to the power of a horse. Every nineteen cubic inches of water is convertible into twenty cubic feet of steam, by a quarter of a pound of coals; and as many times twenty feet, as any given engine is capable of being driven by or of using at any one time, so many horses power is there in the engine.

The calculations of different engineers however differ somewhat on this subject. The power of a horse is estimated as being that of five men, or sufficient to raise 33,000 lbs. a foot high in a minute. His best and most easy draught is 187 lbs. at the rate of 3 feet 4 inches in a second.

Watt estimated, that a cylinder of 31½ inches diameter, with a stroke of 7 feet, 17½ times, in a minute, and moved by the steam produced from 4 bushels of coal per hour, operates with a force of 40 horses. He considered one fourth of his power lost by friction, and therefore adopted as his estimate of the horse power in his engine, the strength adequate to raise 44,000 lbs. one foot in a minute.

The expansive force of steam may be instantly condensed by the application of cold water. Four oz. will reduce 200 cubic feet, to 40, in a single second of time.

One of the most warmly contested questions connected with this subject, is the superiority of steam at high or low temperatures.

In England, except at the mines, low pressure or condensing engines are universally preferred. In our own country, particularly on the Mississippi, high pressure engines are much in vogue.

In a low pressure engine, the steam is not used at its highest expansive force, and is condensed in the cylinder alternately after each stroke of the piston.

In a high pressure engine, the steam passes off after being used in the cylinder into the air or some vessel where it is applied economically to heating water, to be repumped into the boiler.

In low pressure engines, the steam is rarely worked over 12 lbs. to the inch, in high pressure engines, it is commonly used at from 50 to 100 lbs. The dangers resulting from explosion are very little in one case and very great in the other.

The tubular boilers recently adopted in locomotive engines, are a contrivance that resulted from the necessity of the case, a want of room, and a necessity for large quantities of steam.—There is at present a series of valuable experiments going on as to the best sizes of tubes, the best method of construction, their best position, vertical or horizontal, and the best method of using them, either for hot air, or water. The principal difficulty has occurred in securing them from the effects of contracting and expanding, or in other words in making them tight.

They are entirely free from danger, no accident has yet been known to have occurred from their use. On our rail road they sustain ordinarily a pressure of steam of from 50 to 75 lbs.

[*Alb. Adv.*

CANAL NAVIGATION.

The following highly interesting letter, on the subject of canal navigation, will attract, we should think, very general attention:

A letter to the editor of the Rail Road Journal.

SWIFT CANAL BOATS—STEAM CARRIAGES ON COMMON ROADS.

When at Glasgow I visited the "Paisley" and the "Forth and Clyde" canals; and as our country is very much interested

*We have no data, from which to gather the amount of deposites.

:anal navigation, some memoranda relative to the *swift pas e boats* on those two canals may not be uninteresting to your ders.

'irst, of the "Paisley canal," which has been the longest own, and is still most successful as regards quick travelling. is canal commences at Glasgow, and goes through Paisley ght miles distant) to Johnston, where it terminates, 12 miles g; no lock in the whole distance. The boats are of iron, of -sixteenth of an inch thick, 70 feet long, five feet nine inch- broad, and weigh 16 cwt. 14lbs. This is the weight of the n part alone. The total weight of the boat, including the od work, (the cabins are of this material), fixtures, &c. is cwt. and with 100 passengers, draws 19 inches aft and 18 hes forward. Two horses draw the boat in stages of four es each; the pair of horses go only 12 miles per diem. There four boats, which make six journeys each, or twenty-four rneys for the whole each day. These boats have been run- g four years. They are generally full. They meet the atest encouragement, and are very profitable to the proprie- s, notwithstanding the fare is so very moderate. The charge ixpence, in the after cabin, and ninepence in the forward, Paisley, eight miles; to Johnston, 12 miles, the charge is ipence in the after cabin, and 12 pence in the forward cabin. e time usually employed between Glasgow and Paisley is 50 nutes, or 9¼ miles per hour. This is the narrowest canal I er saw, generally 30 feet wide and five feet deep. The cap- ns of the boats on board of which I travelled, told me that a narrow canal, such as this, the horses can pull a boat ier, *when travelling rapidly*, than on one of greater section. is, paradoxical as it may appear, is verified by the fact, that the "Forth and Clyde" canal, which is of nine feet depth, d 68 feet breadth, the boats, which are nearly of the same nensions (68 feet long, and 5½ feet broad) as those on the isley canal, are drawn by three horses, with 70 passengers board, and yet travel at about the same velocity as on the rower and shallower canal. I asked these captains, and o a civil engineer of some eminence, whom I met on board, urning from Johnston, how they could account for this cir- mstance. Their reply was as follows: On a narrow canal, 30 or 40 feet wide, the boat passing swiftly through the ter, throws the wave against the shore, which being thrown ck again against the boat, raises it up, and thus propels it. e wave strikes the boat about two-thirds of its length from bow. But if the canal were much wider, the boat would s by before the *reflected wave* could reach the boat, and thus e it aid. I give this explanation nearly in the words of these ptains, and am responsible only for the correctness of the re- rt of what they told me. I hope this will meet the eye of our tinguished countryman, general C. F. Mercer, chairman of e committee of internal improvements in the house of repre- ntatives, who advocates with so much ability *broad* and *deep* nals for transportation, as far more economical than narrow nals. I will now finish what I have to say respecting the t travelling on the "Forth and Clyde" canal.

This canal, as I have said above, is 68 feet broad by nine feet ep, and the iron boats are 68 feet long and 5½ feet broad, and en light, draw eight inches water, but with 70 passengers, aw 20 inches. This is when in a state of rest—when in rapid tion they draw less. There are three horses employed to ch boat, and the passengers who get into the boats at Port ndas (Glasgow) are set down at Port Hopetown (Edinburgh) 6½ hours, a distance of 56 miles, or nearly nine miles per ur. It is necessary to explain to you that the passengers go ly a part of the distance on the "Forth and Clyde" canal. ey start from Port Dundas and go to Port Downie, (the com- mencement of the "Union canal,") a distance of 24¼ miles, ich includes four locks. In the next half mile are eleven ks, which are avoided by the passengers being conveyed in nibuses to boats in the "Union canal," which carry them on evel of 31 miles to Port Hopetown (Edinburgh). I regret t I did not take a memorandum of the cost of these iron ts, which are light and beautiful vessels, and, being fearful making a mistake, I do not quote from memory. On the ncaster, Carlisle and Kendal canals, there are rapid boats, t not having travelled by them I do not give you any details. t if any of your readers feel an interest in the above remarks, d wish further information, I can with facility procure it, and ll with pleasure communicate it to you. Since my return m the north I have called on Mr. Hancock, in company with . T. one of the engineers of the Boston and Providence rail- y. We found that for the last two months the "Era" and "Autopsy" have discontinued running, owing to the ab- ce of Mr. Hancock in Ireland, whither he went with the ra" for the purpose of ascertaining if he could profitably in- duce locomotives on the roads of that country. He is now urned to London, and will, I am informed, recommence run- g these two engines on the metropolitan roads in a few days. . T. and I also went to see Mr. Russell's steam carriage, ently arrived from Glasgow, which will, in a few days, ply ularly, in conjunction with others of this gentleman's make, tween Hyde Parke corner and Hammersmith, (the com- ncement of the great western road out of London). This riage is by far the most tasteful of all the steam carriages I ve seen. It is built exactly like the stage coaches of this untry, except the dimensions are larger. The whole of the chinery is in the hind boot. The water and the coke are in *ender*, or separate carriage on two wheels, behind the loco- tive. This steam coach will carry six inside passengers sit- ting *vis-a vis*, 14 outside on the roof, and six on the tender; total, 26 passengers. From the favorable terms in which I have heard Mr. Russell's engine spoken of, both here and in Glas- gow, I feel a great curiosity to ride on it, and I will take ad- vantage of the first opportunity to do so, and will report to you respecting it, as well as others which will no doubt be intro- duced as the spring advances. You may inquire, why did not Mr. R. remain in Glasgow? I will reply in nearly the words of the gentlemen who showed us this carriage. He said the pre- judice against it was great, in consequence of the unfortunate accident by which 12 or 13 passengers were killed or wounded; that it was expedient to come to a distant part of the country. He told us, that for several months this engine plied between Glasgow and Paisley, and performed in a manner to give entire satisfaction; and in consequence, the stage coach proprietors and trustees of the road were alarmed lest this and others would gain so much in public estimation as to become regular coaches. They therefore resolved to drive it off, if possible. This they accomplished by *picking up* the turnpike, and putting fresh metal down in unusual and extraordinary quantities. Notwithstanding the road was made almost impassable, the en- gine was still continued, and plied regularly several times each day for a whole month, and excited the admiration of all intel- ligent persons, that it *could* overcome such difficulties. It, however, was finally injured by being driven for so long a time over a *road so much worse than it was constructed for*, and one of the hind wheels getting into a hole (made by order of the turnpike proprietors), it broke, and the carriage tumbled to the ground; four or five persons were killed, and eight or nine others seriously maimed and wounded. But none of them were hurt from the explosion of the engine, or the escape of steam, but from being thrown with great violence against the rough, new mettled road—the same kind of injury as would be received from a common stage coach breaking one of its wheels when travelling rapidly. I am informed that an action is brought by the owners of the steam carriage, as well as by several of the survivors and the friends of the deceased, killed by this melan- choly event, against the road company, for obstructing the kings highway, and causing the injury and death of a number of persons, besides loss of property. Sanguine hopes are enter- tained that the guilty will be severely punished.

I forgot to tell you above, that the swell on the two canals, caused by the quick passage of the boat, is very inconsiderable.

I am, very respectfully, your obedient servant,

GERARD RALSTON.

P. S. The demand for railway locomotives is very great. I am sending nine to different parts of the United States, and both Mr. Robert Stephenson and Mr. Bury have orders to give them full employment for several months to come.

EXCURSION ON CHESAPEAKE AND OHIO CANAL.

From the National Intelligencer.

The president and directors of the canal company invited the president of the United States and a number of ladies and gen- tlemen, to take an excursion up this canal. The party con- sisted of about fifty persons. We left Georgetown at half past eight in the morning, in handsome style, the excellent marine band of music playing various delightful airs as we quickly glided along. Our attention was soon attracted by the bold enterprise of constructing a canal upon the side of a long range of high steep cliffs of rock forming the north bank of the Potomac river. The stupendous stone wall embankment forty or fifty feet high, based on the bed of the river, occasionally incorporating as part of the canal an elbow of this river in its circuitous wind- ings through the deep-rifted rocks. The heavy excavations of rock to effect level embeddings of the canal. The spacious well-constructed locks, and the uncommon capacity of the ca- nal, altogether are objects of great admiration, and extremely creditable to the enterprising company.

As we advanced, we were constantly amused by the diversity of beautiful scenery with which the Potomac abounds. The incessant contrasting views of the grand and picturesque, with the pastoral quietness of the gently sloping vale, moderately enlivened by the tame rippling stream, afford a rich treat to those fond of the sublime. Pyramidal remains of the rugged rocks, in scattered positions, are seen majestically rearing their heads, sternly resisting the inroads of the *remorseless torrent*, adding grandeur to the scene. The Great Falls fourteen miles from Georgetown, presents views of magnificence which may be justly ranked with the first in this country. The whole river descends here from a seventy feet elevation, undergoing terrific agitations, awfully grand.

After passing about six miles above the Great Falls, still de- lighted with the inexhaustible beauties of the Potomac, the party began returning. Soon after which we sat down to a sumptuous dinner, where was displayed a great variety of good things, embracing an abundance of the choicest luxuries of the season, and a generous supply of capital wines and beverages. After appreciating many good sentiments promotive of good fellowship and happiness, the company retired on deck, and as we were approaching home the ladies honored us with their company in the pleasing amusements of the dance.

We returned at eight in the evening. The day was very fine. The air was of a comfortable temperature, and every one appeared to enjoy themselves very much. The president, I am happy to say, seemed in very good health and spirits, and

from the pleasurable pastime he appeared to enjoy, contributed materially to the happiness of his surrounding friends.

It was gratifying to see so many boats, heavily laden with the valuable products from the interior, particularly flour. This canal, when finished, will deservedly rank with the greatest of our internal improvements. It is now in rapid successful progress. It passes through some of the most beautiful and productive parts of our country. It runs through the amazing and extensive bituminous coal regions, near Cumberland; where, also, are found, great quantities of mineral substances. The extent of these coal mines, perhaps, have not their equal in the world. An unlimited quantity may be easily supplied to all parts of the United States, and so cheap as to produce a new era in the fuel history of the present day. It has been proved to possess surpassing excellence for almost all igneous purposes; it improves the quality of metals in the smelting and forging operations. It is very healthful, and does not, like the carbonaceous fuel, rob the atmosphere of its purity.

Taking all this canal's advantages into consideration, it is very desirable for our country's good, that it should be completed as soon as possible. ONE OF THE PARTY.

OSWEGO.*

From the Oswego Paladium.

Commerce of Oswego. We lay before our readers the following statements obtained from the custom house, relating to the navigation and commerce of the port of Oswego. We simply remark that these statements exhibit only the business of the port as connected with the navigation of the lakes, and exhibit nothing of the immense increase of business connected with the Oswego and Erie canals.

Second quarter of 1835.	Tons.
American vessels entered from foreign countries	13,140
" " cleared for " "	12,572
" " entered from ports of the U. States	18,231
" " cleared for " "	19,792
	63,735
Foreign vessels entered from foreign ports,	23,041
" " cleared for " "	23,103
	46,144
Total foreign and domestic entries and clearances,	109,879

Amount of duties collected, $14,210 64.

On comparing the transactions of the custom house for the above quarter of the current year with the corresponding quarter of the current year 1834, we have arrived at the following results, which we state in round terms.

The increase of American tonnage clearing for and arriving from foreign ports, is nearly 1,500 per cent.

The increase of foreign tonnage arriving from and clearing for foreign ports is 39 per cent.

The domestic entries and clearances for the 2d quarter of 1834, cannot conveniently be ascertained—but the increase for the corresponding quarter of the present year is known to be very great.

The increased amount of duties collected is nearly 1,200 per cent.

The increased amount of imports is nearly 600 per cent.

And the increased amount of exports, exceeds 700 per cent.

We have not now schooners enough to do the business of our lake, and there is every reason to believe that we shall have double the business next year that we have this. Where shall we find vessels to do it? Every schooner now which is well managed clears from fifty to one hundred per cent. on her cost yearly. No better investment can be made. We have timber in abundance—and when the business is such that they will pay for themselves every year or two, why can we not have a sufficient number to do all the freighting that may be required by the commercial operations of our lakes.

SHIP CANAL, OSWEGO.

To the editor of the Journal of Commerce.

Permit me to bring to your notice the great increase of trade in Oswego. It appears by the custom house books of that port, that the increase of tonnage in one year, ending 1st July last, was 1,500 per cent. The increase of duties collected to the same period was 1,200 per cent. They have now 48 schooners, and 16 are building along the shores of the lake, for Oswego merchants. They contend that they have the best route to the far west in every respect, and particularly when they have a steamboat alias ship canal around the falls of Niagara. They have delivered merchandise from New York in Cleaveland, Ohio, at 80 cents per 100 lbs, in the short period of 8½ days; and at Chicago for 105 cents per 100 lbs. This great increase of trade is derived from the *Welland* canal. This year is the first that it has been in complete order, without interruption. What will it be when we shall have a canal around Niagara falls, corresponding in size with the magnificent work now in progress along the St. Lawrence, with stone locks 200 feet long, 55 feet wide, and 10 feet deep?

*A town and port on Lake Ontario.

That the "ship canal" can be effected at a moderate expense, there is now not the shadow of a doubt. The route has been surveyed by captain William G. Williams, topographical engineer of the United States by the direction of the secretary, at the request of the state central ship canal committee. The gentleman writes the secretary as follows, under date of the 18th ult.

"In regard to the survey for the ship canal around the falls, which naturally incites in you a warm and patriotic interest, I have the pleasure to state, that my examination has developed no circumstance that in any degree militates against my conviction of the entire practicability of the project: Not only its practicability, but at an expense that by reference to its advantages may be regarded as inconsiderable.

"With regard to your suggestion, as to the capacity of the projected canal, I must remark, that as a national work, it should involve the idea of the passage of the smaller class of our national vessels, by which, in case of war with our British neighbors, the most obvious advantages would accrue to the country; nor would this be larger than necessary to the accommodation of trade that would be directed to so important a thoroughfare. The report, and the data which will accompany it, will be sufficient in detail for any civil engineer to make use of as the basis of an estimate proportioned to projects of any dimensions within the limits of that to which my views were directed, and which has formed the object of the survey, namely, 'a national ship canal.' I am, dear sir, respectfully, WM. G. WILLIAMS,

captain United States topographical engineers.

To Jos. E. Bloomfield, esq. New York."

IMPORTANT DECISION.

From the New Castle, Del. Gazette.

A case of great importance to the mercantile interest came before the district court of Delaware, at this place on Monday last. Six seamen of the brig Independence, capt. Eckfeldt, were brought up on *habeas corpus* charged with revolt and disobedience of orders. The evidence was, that they individually and collectively refused to weigh anchor, &c.—but that there was no force in their conduct nor violence in their language.

The district attorney, Mr. Read, insisted that the case came into the clear meaning and intention of the act of congress of last winter, "an act in amendment of the acts for the punishment of offences against the United States," the second section of which enacts, among other things—

"That if any one or more of the crew of any American ship or vessel on the high seas, or any other waters, within the admiralty or jurisdiction of the United States, shall endeavor to make a revolt or mutiny on board such ship or vessel, or shall combine, conspire, or confederate with any other persons on board to make such revolt or mutiny, or shall solicit, incite or stir up any others of the crew to disobey or resist the lawful orders of the master, or other officer of such ship or vessel, or to refuse or neglect their proper duty on board thereof, or to betray their proper trust therein, or shall assemble with others in a tumultuous or mutinous manner, or make a riot on board thereof, or shall unlawfully confine the master, or other commanding officer thereof, every such person so offending shall, on conviction thereof," &c.

The district attorney remarked, it was true the phraseology was unfortunate, but the act could have no other object. The consequences of a different interpretation would be most unfortunate. Seamen would ship—obtain a month's advance, and quit at pleasure—or the master must exercise the full rigor of his authority, and revolt and murder ensue.

Mr. Gray, counsel for prisoners, said that the evidence before the court would not justity their further detention. That the facts in evidence did not constitute a revolt nor a conspiracy to revolt. That the men, from a common cause unanimously refused to get the brig under weigh for the purpose of going to sea, but this refusal was accompanied with no violence in their language or conduct. That in thus refusing to obey the orders of their officers, they were not guilty of any offence mentioned in the act of congress of last winter—the offence of "soliciting, inciting or stirring up any other or others of the crew to disobey or resist the lawful orders of," &c.—had not been committed by them, there being not the slightest proof before the court of such soliciting, inciting or stirring up. The act referred to, makes it a crime to solicit, incite or stir up *others* to disobey, &c. while it leaves the act of disobedience itself unprovided for. It was no matter what was *supposed* to be the intention of its framers. There was no other act of congress making a mere disobedience of orders a crime. The prisoners were therefore not guilty of any violation of the law.

Judge *Hall* said the case was not provided for by the law of March 3d, 1835, United States laws, page 45, whatever was intended thereby—it might have been and probably was so intended, but it was not so expressed. This was undoubtedly a combination to disobey orders—but the offence was no where set out in the United States laws. It presented a hard case, one bearing very hard upon the commerce of the union—and it ought to be provided for, but as it now comes up, whatever else he might think of the matter, the law left him but one course to pursue.

He then ordered the prisoners to be discharged, upon payment of the costs of *habeas corpus*.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

A supplement to the *last* number accompanies the present. By it, we are enabled to get-in the remainder of Mr. *Poindexter's* speech at Lexington, and many deferred articles. But, though our means are great, we still need much more room, in these busy times!

☞ We continue, (and hope that we have now concluded), an insertion of the papers that pertain to the late riots; but it is probable that a new batch of matter will arise out of certain trials that are now going on in Harford county, being removed thither from Baltimore, in relation to the affairs of the bank of Maryland, &c.

A large number of persons have been arrested, and their appearance to answer secured, by bail, or imprisonment. A guard is kept up at the jail, and at some other points—but the military services of the city have been gradually dispensed with, since Monday last; and business is resuming its natural and peaceful order.

Many reflections, on the late disasters, offer themselves. But the time is not present to publish them. And, perhaps, we shall refrain from doing it altogether. The result of the riots, however, will probably be in the establishment of a *civic guard*—strong enough to "look down" a resistance to the laws.

Many gossip-stories are told of us in other places. "Those who live in glass houses should not throw stones."

A large quantity of spurious coin, representing 456,000 dollars of the money of Brazil, has been arrested by the New York custom house, the vessel being seized with a view to bring the offenders to punishment; but on examination the law was found to be impotent on the subject, and, as the coin was shipped as manufactured copper; and as no law existed to detain her, she was, of necessity, abandoned to the consignee, to dispose of her and cargo according to his original instructions.

This "coin" was made at Bellville, N. J.

Col. *Dozier* and his wife and seven children, and the rev. Mr. *Hawkins*, Miss *Potter* and a negro girl, were all drowned in Elizabeth river, North Carolina, a few days ago—when sailing on a party of pleasure; Mrs. Hawkins and two of her children, with Miss H. Hawkins, and three of col. Dozier's little boys, were saved.

A fire broke out in *Newark*, N. J. on Sunday morning last, which consumed from 12 to 16 buildings, among them the court house and jail—also several horses in the stable in which it commenced. Loss estimated at from $30 to $50,000.

The *Evening Star* says—

The stores destroyed by the late fire in New York were supported by upwards of 100 granite pillars, not one of which is to be found—all crumbled into small pieces. This ought to be a warning to future builders: the firemen shun them as they would destruction.

The president returned to the seat of government on Monday last—considerably recruited by his visit to the Rip-Raps. The secretary of war has also arrived at Washington.

The Globe states, that the changes in the condition of the U. States bank during the month of July, were as follows:

Diminution of loans	$883,174
Diminution of specie	515,360
Diminution of circulation	1,003,598
Diminution of individual deposites	1,050,714
Due to the banks abroad	2,000,000
Loans on stocks in Philadelphia	4,922,891
——— New York	2,185,336

☞ But these "diminutions" does not please the *Globe*—any more than the late "expansions!" It has issued the following *order*.

"We admonish the leading state banks to the exercise of increased prudence; more particularly the DEPOSITE banks—*would it not be well for them to commence curtailing now gradually*, that they may have the means of relieving the community, in the time of pressure. The community will look to *them*, then, for relief and support."

A New York paper says—

The recent alterations in the currency in the United States having changed the former relative proportion between gold and silver, and the English gold sovereign now passing current by law for 4 dollars 87 cents, this makes the par of exchange between England and America 109 23.40 per cent. as will appear from the following statement:

100 sovereigns.
1 sovereign equal to 4 dollars 87 cents.
1 dollar ——4s. 6d.
20 shillings ——£1 sterling.
Result——£109 11s. 6d. or 109 23.40.

And therefore the par is 109 23.40 per cent. because 100 gold sovereigns will produce in America $487 and with $487 at the exchange of 109 23.40 may be purchased a bill on London for £100. We give this calculation at the request of some correspondents who have desired information on the subject.

[The legal value of the £ sterling is 480, but the legal value of the "sovereign," (1£) in gold, is 487, or more, as stated.]

The bank of France, from its first establishment in the year 8 of the republic, (1799-1800) to the end of the year 1834, has discounted commercial bills to the amount of 14,610,910,100 francs; the profit upon which was 107,466,100 francs. The annual average of the bills discounted consequently amounts to 417,454,574 francs, and the average of profits upon these transactions alone is 3,070,460 francs. The sums carried to profit and loss since the opening of the account of bills dishonored in the year 11, (1801-1802), that is during a period of 32 years, amounted to no more than 1,973,900 francs.

A convention in *Maine* has nominated gen. *William King*, as governor of the state, (who was *first* governor of Maine), in opposition to the "Van Buren" candidate. Time was, when the *whole* "democracy" of the union loved William King—but *now*, the *then* "tories" call him a "federalist." He stands in the way of a "regularly nominated"—who, as we believe, was formerly called a "tory." Such is *party!* There are persons in *Maryland*, who, from 1801 to 1812 could not have obtained more than "314" votes in the "democratic" city of Baltimore—who, being "dyed in the *wool*," and without any change on their part except in an *adhesion to persons*, not "things," are *patented* "*democrats*"—*Democrats* "form the egg." How must these men "laugh in their sleeve" at the *change* that has taken place, without any change *in them!*

The troubles between *Ohio* and *Michigan* have broken out afresh. We have several papers on the subject, which must be recorded. The "Dayton Journal" of the 15th instant, says—

After a part of our impression had been circulated, we received intelligence of an important movement on the part of our state executive, which we stop the press to communicate.

Orders have been issued by governor Lucas to the major generals of militia throughout the state, to report to him immediately, what number of *mounted riflemen* and *cavalry* can be furnished from their respective divisions at a moment's warning! It is supposed this force is intended for the disputed territory, to prevent or repel the aggressions of Michigan, or perhaps to *invade the territory!* Further we learn that these orders were confidential, and will not appear in the papers until the governor removes the injunction of secrecy. The correctness of this intelligence may be depended on. A gentleman who saw a copy of the orders communicated the contents to us.

The rev. Dr. *Fisk*, at the meeting of the Colonization society at New York, made a remark, which hits off at one stroke of the pencil, the characteristic tendency of the age:

"We live," says the speaker, "in an age of *ultraism*, and we can scarcely engage in any enterprise, in *spite of the devil*, but he himself will turn charioteer, and ruin, by intemperate zeal, a cause he cannot resist."

—

The following table shows the increase of the population of *Rochester*, N. Y. from the time the first census was taken to the present time:

Year.	*Population.*	*Year.*	*Population.*
1815,	331	1825, (Aug.)	5,273
1819,	1,049	1826,	7,669
1820,	1,502	1830,	10,863
1822,	2,700	1834,	12,252
1825, (Feb.)	4,274	1835,	14,385

—

A quarrel has been some time going on between gen. *Towson* and com. *Elliot*, growing out of some old concerns—the capture of the Detroit and Caledonia, at Black Rock, in 1813; as the following correspondence will shew:

Washington, July 27, 1835.

To commodore J. D. Elliot, New York:

SIR: I have received your communication of the 23d instant in answer to mine of the 18th. If my letter deserves the character you give it, it should have received from an *officer of the navy, who claims to be a gentleman*, a different notice; in fact, the only one a man of honor could return to a communication, of such a character as you describe it, proceeding from such a source. It confirms what I have often heard, but did not, until now, fully credit, that you have, by appropriating to yourself what belongs to others, obtained credit for much more bravery than you are entitled to.

I would return your communication as one that, for the credit of the navy, ought to be suppressed; but knowing you as I now do, my own safety requires that I should not part with a document, which is a tissure of false statements throughout; and which exhibits you in your true character of blusterer. So far as it relates to myself, I consider it altogether contemptible.

Your obedient servant, N. TOWSON.

—

U. S. ship Constitution, harbor of N. York, July 29, 1835.

To general Nathan Towson.

SIR: I informed you in my letter of the 23d that I should with that close the correspondence. The tenor of that paper was such, that any further communication from you must, to be received, be of the kind that is sent, not through the post office, and sealed, but by a friend. Your letter mailed on the 27th is therefore, returned unopened. J. D. ELLIOT.

From the New York American of the 18th inst.

We republish from the Times of yesterday, that portion of the correspondence between general *Towson* and commodore *Elliot*, to which our publication of last evening was a sequel, so that our readers may have the whole case before them.

We had—by a singular hallucination we confess, considering the utter degradation of that press—permitted ourselves to assume, that the Times would deem it due to fairness, to let its readers see the whole controversy: that paper, however, decided—in excellent keeping with all its antecedents—to suppress what cannot be answered.

In addition to these documents, we subjoin a letter from Dr. *Macaulay*—the friend who carried to commodore *Elliot* yesterday, a proposition from general Towson—correcting, in justice to commodore Elliott, an erroneous statement made in the Courier & Enquirer of this morning.

To the editor of the American:

SIR: I hasten to correct a statement which appears in the Courier and Enquirer of this morning, which does injustice to commodore Elliot. I bore the propositions from general Towson to commodore Elliot, which, at the request of the commodore, were reduced to writing; upon a very short consultation with a friend, they were returned by the commodore, who, declined receiving them, but expressed his willingness to consider the note I had delivered, as a challenge; a communication to which effect, he made in writing. Having no authority from general Towson to proceed further in the matter, in case the propositions were declined, an answer was given to the commodore to that effect. General Towson has desired that this statement should be made, and requests its immediate publication, as an act of justice to commodore Elliot. Very respectfully, your obedient servant, P. MACAULAY.

Tuesday morning, Aug. 18, 1835.

The following are the propositions referred to in the above letter.

"Gen. *Towson* authorises me to propose that commodore *Elliot* should select an officer or other friend, who with myself shall decide, under existing circumstances, which party shall challenge; and further, should he (gen. Towson) be the challenged party, he agrees to waive any advantages arising from that position.

"On board the Constitution, 5½ o'clock P. M. August 17th."

—

During four months last past, there have been three hundred and twenty-three admissions to the house of industry at South Boston; *one hundred and eighty* of whom are foreigners. From the 23d of June to the 2d of July inclusive, there were forty admissions, thirty of whom were Irish, one Prussian, one German and eight Americans. The present number in the house is four hundred and eighty-two—more than three-fourths of whom are foreigners.

Of the above three hundred and twenty-three admissions, more than seven-eighths of the adults are intemperate. [*Boston Gazette.*

—

The following is an extract of a letter to a gentleman in this city, dated

Natchitoches, Louisiana, July 15.

"I have heard to day, by a gentleman from Texas, that 2,500 Mexican troops had arrived at the Brazos, on their way to Nacogdoches, their object is yet unknown. The people of Texas have sent a deputation to inquire their object."

—

The London Morning Herald says:—"The exports to New York continue to be carried on to an almost unprecedented extent, and a vessel has been chartered to carry out flour to Boston—a circumstance that has not occurred since very few years after the first colonization of the United States—but the transaction from our low prices, is likely to be very profitable."

—

Among the importations at this port, within a few days, we observe *oats* from Turks Island, *white beans* from Trieste, *flour* from England, and *corn* from New Orleans—and what is the more remarkable, it is believed these articles will afford a good profit to the importers.

[*New York Mercantile Advertiser.*

—

Assassinations, riots, mobs, conspiracies, &c. are becoming the order of the day. "What are we coming to?" asks one—"Where are the laws?" asks another. Where, we ask is the boasted VIRTUE of the people? Make men moral and virtuous, and, they never will become riotous. It is the damning influence of *infidelity* and *licentiousness*, that is breaking the bands of social order, and blighting the institutions of our country.

[*Carlisle Herald.*

ELECTIONS.

KENTUCKY.

Members of congress. 1st district. Not heard from, but will doubtless return a friend of the present administration. Mr. Murray is elected.

2d district. Joseph R. Underwood, the whig candidate, is elected in this district over Elijah Hise, the administration candidate. The majority for Mr. U. is between 200 and 400 votes.

3d district. The Kentucky Register, printed at Elizabethtown, in Hardin county, says—"In this district, last represented by A. G. Hawes, we learn verbally, that Robert Triplett, whig, is elected.

4th district. M. Beatty, Sherrod Williams and F. T. Fox are the candidates—all whigs. Only one or two counties heard from, one of which gives Mr. Williams a majority and the other gives Mr. Beatty a majority.

5th district. James Harlan, whig, is elected over S. H. Anderson, also a whig—majority from 5 to 600.

6th district. We learn, verbally, that John Calhoon, the whig candidate, is elected by a large majority over Dr. Ray, the administration candidate—majority said to be between 700 and 1,000.

7th district. Ben. Hardin, whig, is re-elected by a large majority over gov. Pope.

8th district. William J. Graves, whig, is elected over Mr. Pope and Mr. Lecompte—majority said to be about 5 or 600. This district gave gen. Jackson a majority of 1,960.

9th district. John White, whig, elected without opposition.

10th district. In this district Chilton Allan and Richard Hawes, both whigs, were the candidates. Mr. Allan is elected by a majority of 313 votes.

11th district. William French, the administration candidate, is no doubt elected by several hundred votes over M. P. Marshall, the whig candidate.

12th district. John Chambers, whig, is elected in this district over his competitor, Mr. Tanner, the adminis-

tration candidate, by a very large majority—said to be 12 or 1,500 votes.

13th district. Richard M. Johnson, re-elected without opposition.

The result probably will be, 10 whigs and 3 administration elected from Kentucky. Particulars hereafter.

Legislature. The returns so far give 30 whigs and 18 Van Buren, as elected to the house of representatives; and the senate will probably stand 22 whigs and 16 Van Buren. Of the senators just elected, all are said to be whigs but one.

NORTH CAROLINA.

For congress. Messrs. *Hawkins* and *Speight* (Van Buren) are re-elected. Mr. *Pettigrew*, (W.) has beaten Dr. Hall, (V. B.) the late member. And gen. *Barringer* is said to have been beaten by Mr. *Montgomery*. Messrs. Deberry, Rencher and Shepard are re-elected.

In regard to the legislature the "Globe" says—

The following is an extract from a letter written at Raleigh, dated the 8th inst.

"We have returns from three counties in general Speight's district; and his majority is near *one thousand*. He will be re-elected by at least fifteen hundred votes. [His majority is given at only 767].

"Thus far, the returns to the legislature are decidedly favorable to the republican cause."

"We think Mr. Senator Mangum's promise to revolutionize North Carolina, made after he received his instructions from the legislature, will hardly be accomplished. The prospect is now, we think, that he will be instructed again. Will he obey or will he resign?"

But according to the shewing of the "Globe," made up to the hour "of putting the paper to press," a gain of *one* member to the legislature is claimed. The "hill country" is to be heard from.

The "National Intelligencer" says—"There is little doubt of a majority of the representation in congress and of the state legislature being against the spoils-men."

And the "Raleigh Register" gives the return for the legislature, (so far as received), at 57 White, 45 Van Buren.

TENNESSEE.

A governor was to have been chosen in this state. A Nashville extra of the 10th, gave the following result—so far as known:

For Carroll, (V. B.)	14,715
Cannon, (White)	16,122
Humphries (do.)	2,446

Congress. Mr. *Bell* is re-elected without opposition—and so we understand is Mr. *Polk* and Mr. *Peyton*. Mr. *Maury* is re-elected by a large majority. Colonel Crockett was going "a-head." In the first congressional district, Mr. *Carter* received 3,350 votes, Mr. Arnold 2,199, Mr. Anderson 2,069. The first and last named, the "Union," (a Van Buren paper) says, are of politics "*unknown*"—Mr. Arnold is a whig.

Mr. Carroll is the present governor, and is said to have received the votes of the "White party generally."

ALABAMA.

"The opinion is entertained that Mr. Clay will be elected governor, by a large majority. He has always been favorable to the present administration, but may be regarded as opposed to Van Buren, as in a circular which he issued just before the election he expressed his decided preference for White. Col. Bates is doubtless elected and is for White."

We have no returns of the congressional election worth copying. The returns of the election for governor, between *C. C. Clay*, (late representative in congress), and Mr. *Parsons*, (both avowedly friends of judge *White*, but the latter most decidedly so), are, so far as received, as follows:

For Mr. Clay 4,523—Mr. Parsons 2,828.

Mr. Lewis is re-elected to congress.

INDIANA.

For congress. It is stated that Mr. *McCarty*, (whig), and Mr. *Kinnard*, (adm.), have been re-elected by large majorities.

From the Madison (Ind.) Republican, we learn that Mr. *Dewey's* (whig) majority for congress, over Mr. *Carr*, (V. B.) in Jefferson county, Ia. is 291. This vote is so large that it is supposed to insure *Dewey's* election. Another account says that Mr. *Carr* is re-elected.

The contest between Mr. *Dunn* (whig) and Mr. *Amos Lane* (adm.) has been so close that reports of the result are contradictory. One account represents Mr. *Dunn* to be chosen by a majority of three votes; whilst another gives Mr. *Lane* a majority of twenty-three votes.

Mr. *Hannegan* is re-elected.

"In the 2d district it is probable that Dr. *Davis* has succeeded over Mr. *Ewing*, late member"—so says an Indiana paper; but another thinks that the "probability" is the other way.

Returns from the district represented in the last congress by *Ratliff Boon*, (adm.) so far as we find them in the Indiana Patriot, give the following results: In the counties of Orange, Harrison and Crawford, the votes were—

For J. G. Clendinen.....2,010

For Mr. Boon..... 980

[Verbal information from Pike and Duboise counties increase the preponderance of Mr. *Clendinen's* vote. There remain, however, six counties in this district yet to be heard from.]

MISSOURI.

Imperfect returns, including the county of St. Louis and two districts in St. Charles and Pike counties, present the following aggregate:

White.		*Van Buren.*	
Ashley	4,703	Strother	3,864
Birch	5,108	Harrison	3,943

A warm contest was carried on for clerk of the circuit court of St. Louis, which has resulted in the election of J. Ruland, as follows:

Clerk circuit court.

J. Ruland.....422

A. Gamble.....417

W. Renshaw 75

GEORGIA.

In this state, an unexpected state of things exists, in reference to the representation of the state in congress. Of the nine representatives elected by general ticket in the last autumn, (all *said* to be Jackson-Van-Burenites), *three* have vacated their seats by resignation. To fill these vacancies candidates have been nominated by "the state rights' party," as follows: *Richard H. Wilde, Roger L. Gamble, Thomas F. Foster.* Since this nomination, another member elect (general *Sanford*) has resigned, making *four* vacancies; and a *fifth* member is "in such a situation (by ill health, we presume) that very little hope is entertained that he will be able to serve the state in congress." Here, then, are *five* vacancies to be filled, out of the whole number of nine. It is, therefore, at this moment, doubtful, and will be until after the election to fill these vacancies, whether the state of Georgia, as represented in the house of representatives, will be in favor of Mr. *Van Buren* or judge *White!* [*Nat. Int.*

ITEMS—VARIOUS.

We have the annual post office advertisement in the "Globe." It fills *twenty-seven* columns of that paper.

De Soto, one of the pirates condemned at Boston, and heretofore respited, has been fully pardoned by the president of the U. S. *Ruiz* continues to counterfeit insanity. His respite expires on the 11th proximo.

Removal of deposites—not over yet. The funds of the U. States, heretofore kept in the old and substantial bank of port, R. I. have been removed within a week past to affair called the *Merchants' Exchange bank*, having a cap *fifty thousand dollars*, and managed by an individual wh one of the Baltimore convention.

It is added that the deposites will amount to half a millio

Captain *Back* has returned to Montreal, and proceeded England. The Montreal Gazette says—

During the winter, the expedition had to endure great privations and sufferings, owing to the scarcity of food, and the severity of the weather. On the 25th of April, being exactly one year after he had left Lachine, and during a very heavy snow storm, the despatch communicating capt. Ross's safe return was delivered to capt. Back. The primary object for which the journey was undertaken being thus happily fulfilled by other agents, capt. Back made preparations for complying with the secondary part of his instructions—the examination of the coast between Point Turnagain and Ross's Pillar. Several boats were with the utmost activity built during the winter, but in spring, finding that they had an insufficient supply of provisions, they could only take one with them. It was not u the month of July, 1834, that the expedition got to open w

on the Thlew-ee-chodezeth, or Great Fish river. Capt. Back, we believe, succeeded in determining that this river runs to the northward, and if we understand the purport of the scanty information which has reached us, it has its source on a height of land, about 150 or 200 miles from Fort Reliance, the winter establishment of the expedition, at the eastern extremity of Great Slave Lake. Capt. Back is the first European who has visited Great Fish river, and examined its course to the Polar seas. Its very existence was doubted by many geographers. It is said to be large, but dangerous of navigation—greatly impeded by ice, and having little but mounds of sand along its banks. It falls into the Polar sea, at a point, as far as we can learn, that coincides very near to the place assigned to it by captain Back and the Arctic committee in London.

Farther than this, we only know that the party of intrepid travellers had to encounter every obstacle to which Polar navigation is liable, and we are led to believe that immense masses of ice, accompanied by uncommonly severe weather, finally arrested their progress.

How far the labors of the expedition will increase our knowledge of the line of coast, we are unable to say; but from what has been stated above, it is obvious that a new route has been opened to the Polar sea, and that a large blank which formerly struck the eye, on surveying the map, will now in a great measure be filled up. Capt. Back will, we believe, have much interesting information to communicate, respecting his observations on the aurora, the changes on the needle, as he drew northward, &c. The extreme cold experienced, we learn, was 70 degrees below zero.

The value of the export of provisions, from the port of Waterford, Ireland, for the year ending the 30th April, 1835, was £1,818,445 12*s.* 6*d.*

And yet, in Ireland, we have frequent accounts of *actual starvation!* The "provisions" go to England, to pay debts.

Malibran got £2,375 (11,875 dollars) for 19 nights performance at Covent Garden theatre. She is engaged for 6 nights at Drury Lane.

A block of Westchester marble for the new custom house, New York, weighing 27 tons, was drawn to the city from Harlem, by a team of 19 yoke of oxen and two pair of horses.

Speaking of the late awful fire at New York, the *Evening Star*, well observes—

One of the most desolating and destructive fires that has ever afflicted our city, broke out this morning, a little after two o'clock. Though there had been much rain all day, the vast quantity of combustible materials which were in this part of the city, being chiefly printing and publishing establishments of different newspapers, paper warehouses and bookstores, caused the flames to spread with frightful rapidity. The extreme height of the buildings also, the confined rooms and passages of the stores, the hour at which the fire broke out, and the general narrowness of the streets, all contributed to give a more terrible character to this awful conflagration.

We lament to state that there were several valuable lives lost. It is to be regretted, where the practice exists so generally of choosing the uppermost stories for sleeping, as affording the purest air, that people do not take the precaution of having a safety ladder in their rooms. *Until, however, there is a radical change in the false and flimsy mode of building houses prevalent in our city*, we may expect a repetition of such scenes as were exhibited this morning.

The (Phila.) "Independent Democrat" says—

The Wolfites are constantly calling upon the famous *Henry Horn*, for the *first letter* which he received from general *Jackson*, in which he tells him what his SERIOUS opinion is upon the gubernatorial question in Pennsylvania. The contents of this *serious* letter, the said Henry most pertinaciously refuses to disgorge, although he hath been over and over again most clamorously invoked so to do. From the fact of these very Wolfites having now, and having had ever since the 2d ultimo, in their *possession* an official *copy* of the same; and they not thinking proper to give it publicity, we whiggies are not a little inclined to think the letter is rather too *serious* for either party to publish, and that it has told them "neither of your candidates are worthy of the people of Pennsylvania, and neither will be elected." This we think is about the amount of it, or it would have been *used* by one or the other of the tory factions, long ago. We now, in turn, as we have a right to do in behalf of the whigs, call for its publication, and between ourselves and the Wolfies, we think the immaculate holder will be placed upon the *Horns* of a dilemma.

Wool—for ¾ Saxony to "full blood" commands about 70 cents per lb. to the eastward.

The late rev. Mr. G——, happening one day to go into the church yard, while the beadle was employed, neck deep, in a grave, throwing up the mould and bones to make way for another person, thus accosted him—"Well Saunders, that's a work you're employed in well calculated to make an old man like you thoughtful. I wonder you dinna repent o' your evil ways." The old worthy, resting himself on the head of his spade, and taking a pinch of snuff, replied, "I thought, sir, ye ken that there was no repentance in the grave." [*The Laird of Logan.*

"*A hint to wives.* 'If I'm not home from the party to night at ten o'clock,' said a husband to his better and bigger half, 'don't wait for me.' 'That I wont,' said the lady significantly, 'I wont wait—but I'll come for you.' He returned at ten precisely."

The *cholera* has prevailed dreadfully at Russelville, Ky. About 60 had died of the disease in 4 days, previous to the 29th ult. Not a grain of "calomel" was left in the place. It is added, that many of the deceased remained in their houses—uninterred!

No *epidemic* cholera exists at *Buffalo*—there has not been any such there, the present season.

From the Jackson (Miss.) Banner, July, 16. We mentioned above that P. C. Damewood had been discharged; but no sooner was he out of the view of the court, then apprehending judge Lynch's law, he put out in a hurry. He was pursued and caught, and received a very decent flagellation. Damewood was indicted and found guilty of grand larceny—having stolen judge Caldwell's pocket book with several hundred dollars in it. There was some defect in the indictment, which the high court of errors and appeals was compelled to regard, but which the advocates of judge Lynch's court thought proper to rectify, and Mr. Damewood's back bears evident marks of the supremacy of Lynch's law. He confessed his guilt, or, in other words he "acknowledged the corn."

FOREIGN NEWS.

Late events, at home, have prevented a narrative of foreign events. But we shall notice some of the things that are reported. We have London and Paris accounts to the middle of July.

The London Morning Chronicle of the 14th July intimates another and speedy change in the ministry. The "Courier," however, says that no change will be made.

On Monday evening, July 13th, after the order of the day had been moved by lord Morpeth, the following announcement was made by lord John Russell—

"I have received his majesty's commands to state that he has been graciously pleased to place at the disposal of this house, for the purpose of the Irish church bill, all his majesty's interest in any benefices and ecclesiastical dignities of the church of Ireland."

A correspondent of a Cork paper gives the following account of the effect of this message upon the respective parties in the house:—

"The announcement was received with the most deafening and prolonged cheers ever sent forth in the house. It is, in fact, an expression of the king's approval of the bill—the withholding or refusing to give which was the foundation of all the rumors during the last three days.

"There will be from henceforth, it is expected, nothing but plain dealing: I have great satisfaction in being able to close so gratefully a communication, which would be otherwise received with something of doubt, if not despondency, of coming events.

"The dismay of the tories is indescribable."

Seventeen persons lost their lives at Little Lever, near Bolton, July 10th, by the rushing of water into the coal mine where they were working.

At Galway, Ireland, 1,800 families were in a state bordering on starvation.

Mr. Lees is returned to parliament from Oldham, by a majority of 13 votes. His principal opponent was Mr. Cobbett, a relative of Corn-Cob-bett, deceased.

The Buzzard, of 10 guns, has, after an action of three-quarters of an hour, captured El Formidable, slaver, of 8 guns and 66 men, with 700 slaves on board. The Buzzard had six men wounded; El Formidable, 6 killed and 13 wounded. The Forester, on the 20th March, in the Bight of Benin, captured a Spanish brig 200 slaves on board.

A second great meeting was held at Exeter hall, London, June 10th, to discuss questions relating to popery. A supplement to the Cork Constitution is entirely filled with a report of the debate. Lord Kenyon presided.

In Dublin alone, 600 men had been raised for the Spanish service. They were to proceed by steamboat direct for St. Sebastian.

The 12th of July, being the anniversary of the battle of the *Boyne*, was the occasion of serious riots at Liverpool and Belfast. At Belfast it was found necessary to call in the aid of the military, who fired upon the mob, killing a woman by the name of Ann Moore, and wounded several other persons. At Liverpool, after the Irish got fairly engaged with each other, i. e. the Catholics with the Protestants, they were joined by all the ruffians and vagabonds in the neighborhood. The Vauxhall Bridewell was forced by them, but they were ultimately dispersed by the civil force.

The parties in custody charged with a conspiracy to assassinate the French king amount already to the number of twenty. The prime mover of this plot is a man of the name of Bergeron, who has already been tried and acquitted of a similar offence, having been charged, as you may remember, with firing a pistol at the king, at the corner of the Pont Royal, when his majesty was proceeding from the Tuilleries to the chamber of deputies to open the session of the legislature. His acquittal having secured his impunity, this man has since been heard to boast that his was really the hand that fired the famous pistol shot—but although he be now in custody, it seems to be doubtful whether this new conspiracy can be brought home either to him or

his supposed accomplices. Apart from their ulterior designs, which certainly could not be innocent, the facts which can be proved against them amount to little more than their having taken a house on the road to Neuilly, and having made it a sort of magazine of arms and ammunition. It is supposed that the principal part of their plan consisted in the construction of a second edition of the celebrated infernal machine, which was to have been directed against the king's carriage on his majesty's return from his suburban villa to the Tuilleries. The preliminary proceedings are still in progress, and as soon as they are brought to a close, some official announcement will be made of the course which it is intended to pursue.

[*Times.*

A rumor was current in Paris of the death of the duke de Bordeaux. Charles X. is of a very advanced age, and should he too die, there will then only be the imbecile duke d'Angouleme between Louis Philippe and the crown of France *par droit de naissance.*

The *Impartial* [a Paris paper] observes, that to hear the official paper of gen. Jackson the reparation demanded by the French chambers, as a condition *sine qua non* of the payment of the 25 millions, will not be easily obtained. No doubt if it depended upon him alone, this reparation would not be given. But, in the United States there is a power that is stronger than the will of the president, namely the will of the nation, and this will is adverse to quarrels and hostilities with France. The trade and interests of America are too much opposed to a bostile policy for it to be adopted by it. This pacific idea is expressed by most of the American journals whose opinions are known, which shows that a rupture with France would be highly unpopular in the United States. President Jackson will therefore be forced, in spite of himself, to afford the reparation demanded by France, and thus this long negotiation will be brought to an end, not by cannon shots, but by diplomacy. There is too much good sense on both sides of the Atlantic, for this affair to be settled by other than amicable means.

Some serious disturbances have taken place in Amsterdam, in consequence of the refusal of some householders to pay the taxes on their property, which it must be admitted are very high in Holland. The military were called in, and numerous arrests have been made of persons concerned in the disturbances, but the authorities had not insisted on selling the goods of the refractory householders. The troops, however, had not been withdrawn, and it is said the opposition was extensively ramified.

Five hundred English volunteers are already at Bilboa.

Spain is said to be throughout, in a state of unusual tranquillity. The feelings of the people are conciliated by the course of the new ministry.

Bilboa has been amply supplied with provisions from St. Sebastian and Passage. The rebels have fled, and the queen's troops within the walls amount to 30 battalions.

It is reported that Eraso was seriously wounded before Bilboa, with a fracture in the thigh, proving mortal a few hours after.

The loss of the Carlists before Bilboa, was three thousand men. Three battalions of the rebels arrived at Oyarsum and Ernany, July 2d, some of them advancing as far as between Irun and Bidassoa.

There has been a great depression of the funds at Paris, owing to the stand taken by the sultan against the passage of the Dardanelles by the English and French.

All idea is given up of an interview between the emperors of Russia and Austria. Merternich is said to have become alarmed at the grand commercial projects of Russia.

Cairo, May 5. The plague has continued to increase from the date of my last letter to this day, so that now above 2,000 persons daily fall victims to it in the city, and as great a number in proportion in almost all the provinces of the Delta and Central Egypt. About 50,000 persons have probably already fallen in Cairo alone, which gives the city a frightful appearance.

The day is no longer sufficient to bury the dead, and, contrary to the custom of the Mussulmans, they are now buried by night also. The dirges sung by the men, and the lamentations of the female mourners, fill the streets. Never, according to the assertion of the oldest inhabitants, was Egypt visited by such a pestilence. It is difficult to determine whether this is owing to the general distress and poverty, or to unknown atmospherical influence.

☞—We have horrid accounts of the conduct of Santa Anna at *Zacatecas.* Many were killed in cold blood—chiefly foreigners. There has been another revolution in *Venezuela*—and the expelled chiefs have been landed at St. Thomas. *Paez,** however, had come out in favor of the constitution, and, it was hoped, would restore order, and recall the chiefs. A letter from on board the Brandywine, dated Callao, May 8th, says—A few weeks since, *Salaverry* took one of *Obregogo's* generals prisoner, I think, his secretary of war. He was brought here and confined in the castle, until a few mornings since, when he was dragged from his wife at 3 o'clock in the morning and shot. She had been permitted to remain with him, poor creature, and was in a very delicate situation—so much for Salaverry's summary *justice!*

*Paez says—If reforms of the constitution are desired, the constitution itself prescribes the means of obtaining them. It is not to be borne, that two hundred armed men should effect by force that which should be sought for in a peacable mode, and in a manner becoming a civilized people who have made a constitution and laws.

BISHOP ENGLAND AND O'CONNELL.

We made a brief reference to the supposed friendship of the learned bishop for the "agitator" when publishing his disclaimer of some suspicion entertained at Charleston, a few days ago, that he had received certain of the anti-slavery pamphlets. In consequence, the following letter from him to Mr. O'Connell, dated a long time ago, has been republished in the "Mercury."

Charleston, (S. C.) Dec. 8, 1829.

"Should any one have told me that a day would come when a sense of deep and awful duty would require of me to address you, as I this day do, I would not have thought it possible.

"I wrote a few weeks since from Baltimore, a letter which you cannot, I suppose, have yet received, in which I alluded to the injustice which you thoughtlessly did to a people, of whom you know so little as you do of the slaveholding Americans. But this day I have had an imperfect view of a letter which you appear to have written from Derryname, in last September, upon the subject of our cruelty and injustice. That view, imperfect as it was, was to my eye more blasting than any which I have for years beheld.

"I now tell you that a more wanton piece of injustice has never been done to a brave and generous people, than this which you, ignorant of our situation, of our history, of our laws, of our customs and of our principles, have dared to perpetrate. You have not only been guilty of gross injustice, to a people whom you know not, and who aided you with a noble and disinterested enthusiasm, but you have heaped shame and confusion upon your own countrymen, and those who were once your admirers, and would still, if you permitted it, be your friends.

"Do you believe, that we, who love freedom and our fellow men, are the heartless wretches that you describe, because we cannot at once do all that your imagination conceives to be perfection, and which we who have the experimental knowledge, have irrefragable evidence to be destructive folly? You have, in the unfortunate moment when you sent forth that document (if it be yours), done an evil which no contrition can repair, no service can redeem. As a Carolinian, I cannot reason with you upon facts, of which you are ignorant. As an Irishman, I bewail your infatuation. And whilst I am doomed to meet a variety of trials, one of the keenest and bitterest of my feelings will be, that the most contumelious insult which was flung upon the land of my adoption, was ungratefully and wantonly given in the moment when she was flushed with a victory won by American aid, by one whom I once valued as a dear friend in the country of my birth.

"Should the Derryname manifesto against the proud Americans and their slaveholding states, be a forgery, I should rejoice to learn the fact from yourself. Should it be your production, I would say, *in me you shall find one amongst thousands of your countrymen, who will not succumb to your insult, nor quail before your threat.*

"I shall make no parade of my love of liberty, nor send you homilies upon my humanity. But whilst with every Carolinian that I know, I lament an evil which Britain has superinduced, and which we cannot at once remedy, I deny your right to interfere; and I pray you might succeed in raising the ruined population of Ireland to the level of the comforts of the Carolina slave. Should you live to behold this result of your labors, you will have accomplished more than is expected by

JOHN, *bishop of Charleston.*

"*To Daniel O'Connell, esq.*"

But what would the bishop have written to him, had he thought proper to notice the "agitator" any further?

At a meeting of the British Anti-slavery society in London, May 14th, 1835, the "Irish agitator" was among the speakers.

The honorable and learned gentleman (says the London Christian Advocate), then proceeded to speak in terms of severe censure of the conduct of the Americans, in continuing to keep in bondage the black population in many of their states. It was disgusting to every lover of reason and justice and true liberty, to hear them boast

of their democratic principles and institutions, without a blush at the recollection of their bondsmen. *They were traitors to liberty, to honor, to consistency.* They nullified the proudest sentiment in their immortal Declaration of Independence, which declared all men to have equal, sacred and inalienable rights. (Cheers.) *He did not wonder at the death-plagues of New Orleans, or the devastation of its people, many of whom enjoyed health and vigor at morn, and were lifeless at noon, when they had committed or countenanced crimes which could only be registered with the annals of Nicholas and the curses of Poland.* The honorable and learned gentleman read several extracts from an American act of parliament, in which it was enjoined that no judge, member of parliament, barrister or preacher, should speak or write any thing against slavery, under the pain of being sentenced to not less than three years, and not more than twenty-one years imprisonment, or, death, at the discretion of the court!!! And that no American should teach a slave to read or write, under pain of not less than three months, and not more than twelve months imprisonment. (Hear, hear.) *The honorable and learned gentleman flung this black dishonor on the star spangled banner of America—in vain did it wave over every sea, proclaiming the honor of the boasted republic of modern times*—THOSE WHO FOUGHT UNDER IT WERE FELONS OF THE HUMAN RACE—(hear, hear)—TRAITORS TO LIBERTY, TO THEIR OWN HONOR AND BLASPHEMERS OF THE ALMIGHTY. "*The red arm of God,*" *continued the honorable and learned gentleman, "is bared; and let the enemies of those whom he died to save, the black man as well as the white man, beware of its vengeance. The lightning careers through the troubled air, resistless amid the howling of the tempest and the rolling of the thunder.*"

On seeing his speech in print, the agitator seems to have been ashamed of it, for he immediately addressed to the Morning Chronicle the following note:

Sir—In your paper of this date you have given, as was to be expected, a *brief* report of a long harangue I made at the anti-slavery meeting. I wish—despite of my oratorical vanity—it had been still shorter, for you should have omitted the phrase, "the Americans are the basest and vilest of mankind."

I say you should have omitted those words, as you had not space to give the context. It is quite true that I did use a phrase of that strength and distinctness, but I used it not of the Americans generally, or universally, but of one class of Americans only—namely, the possessor of slaves.

I should indeed be sorry to include all Americans within the pale of degrading criminality which belongs to the beings who call themselves the owners of their fellow creatures, and who treat as property their fellow men—their fellow men who are their equals in every thing but wealth, education and crime.

Of the two first, the American slave owner basely robs the men of color. The crime is the guilty appanage of the American white man who countenances slavery in any shape or form.

Can you afford me space to give, in a condensed shape, my principal argument? It was this: The Americans by their great charter, the Declaration of Independence, by which they established themselves into a nation, declare "that all men are by nature equal; that they are endowed by their Creator with certain inalienable rights; amongst which are life, liberty and the pursuit of happiness." To the maintenance of this declaration, they, after an invocation of Providence, pledged their "lives, their fortunes, and their sacred honor." Thus adding all the chivalrous obligations of honor to the most solemn sanction of an oath.

Think you not that this oath is registered in heaven to confound the vile and degraded traffickers in human slavery? Yes—this solemn vow upon oath and honor, is daily, hourly, continuously violated by the American slave proprietors, and although, in despite of its solemnity and sanction, the American slave owners keep in bondage two millions and a half of men, yet they must not dare to hope than they can escape the indignation and the contempt of the virtuous and good all over the globe. I have the honor to be your obedient servant,

DANIEL O'CONNELL.

9 *Clarges street, May* 16, 1835.

The denial only "makes bad worse," unless in a solitary instance. It confirms the general truth of the report of his speech.

"Daniel O'Connell, shortly before the abolition of slavery in the British dominions, declared in public:

"The West Indies will be obliged to grant emancipation, and then *we will turn to America*, and REQUIRE emancipation!"

"*Require*," Dan! That is rather "tough." "Require!"

—

The following excellent article is extracted from the "*Boston Gazette.*" It is of solemn importance. It is known to every one that we are resolutely opposed to slavery. But the means taken to destroy slavery are far more horrible than slavery itself, and in its worst form, even with regard to the slaves themselves:

"It is indeed too true, that "women repeat and children lisp the curses of O'Connell," nor is it any the less true, that the incendiaries of the north have succeeded in causing "the slaveholders to be regarded as a monster, whose cruelties will justly consign him to Tophet, and which are enough to bring down the vengeance of heaven on the nation that tolerates them." Some of those who have had an agency in bringing this state of things about are clergymen; and the confidence that we too often repose in men to whose hands we trust the spiritual guidance of our children, has had an effect the most disastrous and melancholy because it has been abused. The remark is not applicable to the whole clergy, nor is it intended to reach the whole of that useful class of society, but it is intended for those who have been most efficient and active in promoting that state of things, which now threatens us with disunion and all the horrors of civil discord. Those individuals, assisted by an infamous British emissary, whose name shall not disgrace the face of this paper, and who is entitled to nothing but the unmitigated reprobation of an outraged people, have insidiously worked their way into society; and, as a silly and feminine confidence was placed in their self-proclaimed virtue, they have gone onward without opposition, and have at last placed the country on the very parapet of ruin.

* * * * * *

"Already have these artful schemes introduced discord and confusion into churches and families, arrayed friend against friend and brother against brother; in one word they have produced a state of things disgraceful to the enlightened spirit of the age.

"If all this originated in the misguided zeal of domestic fanaticism; if they were propagated by furious and deluded zealots of our own country, some pity, some apology might be pleaded in its behalf; but, what shall be said, what shall be done, when we see the emissaries of England: the disciples of Daniel O'Connell, taking the lead of this business of blood! Shall we quietly look on, and not spurn the wretch who dares assail the integrity and the fame of this country! Shall we play the spaniel, and copy the truckling of the degraded slave, and suffer imported emissaries to seduce our affections; and imposing on our natures, lead us to the disruption of the happiest country that the Almighty has ever blessed with his smiles and benedictions! Shall we not rather be men, and exercising the rights of freemen, make good our obligations to the south, and gallantly and gloriously spare her from the approach of the worthless invader of her honor and her fame! Did she not in common with us, participate in the glorious and immortal combat for "freedom or the grave;" and shall we now listen to the voice of foreign cut-throats that invite us to riot amid her ruins? among her smouldering towns and bleeding carcases! Shall we, to gratify the spirit of the incendiary who thirsts for power, and the prostration of all our hopes, adopt the agrarian and levelling system which he preaches, and yield our daughters and our wives to that lust and amalgamation which he advocates?

We are on the eve of revolution; and although its approach, so far as New England is concerned, has hitherto been bloodless, the time has arrived when every man is required to do his duty; and, it is to be hoped that the citizens of Boston will immediately call a public meeting to adopt some steps to avert the calamity with which we are threatened, and at the same time assure our friends of the south that we are true to them and to the union.

THE TRUE DOCTRINE.

The subjoined letter, written by Mr. Webster some years since, in reply to an application from a respectable gentleman of Georgia, contains a full and fair exposition of his views upon the subject of slavery at the south. It embraces the true doctrine in regard to the constitutional rights of the slaveholding states; and we believe that the opinions expressed are such as are maintained by every intelligent and real friend of the republic. We give place to the whole of the correspondence.

Mr. Bolton to the hon. Daniel Webster.

New York, May 16, 1833.

Hon. Daniel Webster.

DEAR SIR: It cannot have escaped your observation, that warm discussions are now going on in many of the southern papers, and much agitation is felt or feigned in a portion of the south, on the subject of slavery, and of imputed designs of the north against the security and value of that species of property.

I have been so long and closely connected with Georgia, that I am perhaps more watchful than most others in this quarter of such discussions as these, and having reason moreover to apprehend that at this particular juncture, the tendency, if not the deliberate aim and purpose, is to excite universal uneasiness and distrust in the slaveholding states, and by consequence to foment jealousness and heartburnings against the non slaveholding states, which designing politicians may turn to mischievous account; I have felt desirous since our conversation this morning, of obtaining an expression, in writing, of your views, as to the power of congress on the subject of slaves and slavery, and also as to the existence of any wish or design, on the part of northern men, to interfere in any way with the security or regulation of that species of property.

My immediate object in thus seeking to obtain a written expression of your opinion on these subjects is, that I may communicate it to a distinguished friend of mine in Georgia, who shares in my solicitude in relation thereto, and through him to the public at large. I am, dear sir, with great respect and esteem, your obedient servant, JOHN BOLTON.

Mr. Webster's answer to Mr. Bolton.

New York, May 17th.

MY DEAR SIR: I have received your letter of last evening, requesting me to state my opinion of the powers of congress on the subject of slaves and slavery: and of the existence of any wish or design, on the part of northern men, to interfere with the security or regulation of that species of property.

My sentiments on this subject, my dear sir, have been often publicly expressed; but I can have no objections to repeat the declaration of them, if it be thought by you that such a declaration might in the smallest degree, aid the friends of the union and the constitution in the south, in dispelling prejudices which are so industriously fostered, and in quieting agitations so industriously kept alive.

In my opinion, the domestic slavery of the southern states is a subject within the exclusive control of the states themselves; and this, I am sure, is the opinion of the whole north. Congress has no authority to interfere in the emancipation of slaves, or in the treatment of them in any of the states. This was so resolved by the house of representatives, when congress sat in this city in 1790, on the report of a committee consisting entirely of northern members; and I do not know of an instance of the expression of a different opinion, in either house of congress, since. I cannot say that particular individuals might not possibly be found who suppose that congress may possess some power over the subject, but I do not know any such persons, and if there be any, I am sure they are few. The servitude of so great a portion of the population of the south, is, undoubtedly, regarded at the north, as a great evil, moral and political; and the discussions upon it, which have recently taken place in the legislatures of several of the slaveholding states, have been read with very deep interest. But it is regarded nevertheless, as an evil, the remedy for which lies with those legislatures themselves, to be provided and applied according to *their* own sense of policy and duty. The imputations which you say, and say truly, are constantly made against the north, are in my opinion entirely destitute of any just foundation. I have endeavored to repel them so far as has been in my power, on all proper occasions; and for a fuller expression of my own opinions, both on the power of congress and on the groundless charges against northern men, I beg leave to refer you to my remarks in the debate on Mr. Foot's resolutions in 1830. I am, dear sir, with much true regard, your obedient servant,

To John Bolton, esq. DANIEL WEBSTER.

RIOTS!

Many of the people of the United States are "out of joint." A spirit of riot or a disposition to "take the law in their own hands," prevails in every quarter. We shall proceed briefly to notice some that lately happened.

At Washington, *four* members of congress were held to answer "for words spoken in debate" two were cruelly assualted, another fired upon in open day, and in the presence of many members, and a third given to understand that he spoke of a public officer at his personal *peril*. But that did not stop him! And the "Telegraph" of Saturday says—

"That on Friday evening Mr. Laub, one of the leaders of the rioters, was taken up by the police officers, and while his trial was going on some noisy fellows collected around the police office, and threatened to take him out of the custody of the officers, and a Mr. Sweeting, who we understand, is a citizen of Philadelphia, became very wrathy, and went into the office, drew his knife, collared one of the magistrates, and swore that he should release Laub, that Laub should go with him, &c. and that if the mechanics of the city would support him, he would burn up and destroy it. It is scarcely necessary to add that after this he was taken and committed to prison. During the night six or eight more of the principle rioters were committed. There are yet a few others who ought to be with them, and our city will again be quiet."

The excitement at Washington has been fearful. The Alexandria Gazette of the 20th says—

A committee of some of the citizens of Washington, it is said, waited on the president on Tuesday, and requested him to order the removal of the United States troops now stationed in Washington to aid, if necessary, in preserving peace; and it is said that the president returned a peremptory answer in the negative.

At Lynn, Mass. the English emissary, the *rev.* Mr. Thompson, lecturing about the abolition of slavery to a large company, *chiefly females*, was assailed by a shower of rotten eggs and stones, and driven off the ground. The lecturer probably escaped under the protection of a petticoat.

And the same *gentleman*, at New Bedford, was *sung down*—

"But when to speak the man essayed,
Gods! what a noise that fiddle made."

Music was used to drown the noise of the impudent speaker. This is a new way to silence *imported* patriots.

Meetings have been held at Danville, Kentucky; at Richmond and Petersburg and many other towns in Virginia; at Charleston, South Carolina; at many places in Mississippi; and, indeed, it may be generally said in all the south and south west in consequence of the flood of incendiary publications let loose by a few "anti-slavery" men of the north, inciting the negroes to insurrection, and murder, and desolation; and, at as many places, perhaps, a like spirit has been shewn against *gamblers*. Anti-gaming societies have been introduced in a number of cities and towns. *Executions* by "*Lynch law*," have been numerous. Acts of personal violence, on other accounts, (some of which are terrific), also abound. Society is in an awful state. What is the cause of it?

Difficulty at Charlestown. Some trouble, it appears by the Boston papers, took place at the above place on Tuesday. It had been known for some time that a number of persons, assisted by a few from Boston, intended to celebrate the anniversary of the burning of the convent, and it was stated that they were organized to the number of one hundred or one hundred and fifty, for the purpose of marching to Roxbury to fire at a target, on which was painted a representation of the lady superior. The selectmen of Charlestown refused them permission to parade as a military company, and undertook to take away their muskets. On this a scuffle ensued, and one of the selectmen was assaulted. The selectmen succeeded in depriving the company of their arms, after which the company went to Chelsea to dine.

Irish riots in Indiana. The Fort Wayne Sentinel of the 18th July, gives the particulars of an outbreak among the Irish upon the Wabash and Erie canal. By this account, a regular battle had been for some time deliberately calculated on, to take place on the 12th of July, the anniversary of the battle of the Boyne. Arms and ammunition were liberally provided, and on the 10th they turned out, one party 300 strong, the other 250, mostly well armed. They were yet seven miles apart, and two days short of the time for the fight. Several houses were entered, the inmates abused, and the premises rifled of arms, &c. and Mr. P. Brady, a canal contractor, was fired upon, but missed. Most fortunately, some miles of the canal were navigable; ap expresses being sent to Fort Wayne and Logansport, suffici volunteers were raised to suppress the disturbance. Th were embarked in a canal boat and conveyed to the scene misrule in time to secure about one hundred of the rioters, a to disperse the rest.

To prevent a recurrence of such lawless feuds, volunt companies were being organized in all the villages along t line of the canal, to serve as minute men, in case of furth need.

Correspondence of the Rochester (N. Y.) Democrat.

Mumford, Aug. 3, 1835.

Mr. Editor: We yesterday (Sunday) had a regular Irish mob in our hitherto retired and peaceful little village. In the afternoon a company of Irish laborers to the number of twenty-seven, came here for the purpose, they said, of whipping a "d—d Yankee," who, two or three days since, whipped an Irishman. The object of their vengeance was confined to his bed by sickness, and after being several times frustrated in their attempts to drag him from his bed by force, they commenced abusing all within their reach and hearing. The noise and uproar which they created collected a few of the citizens about them, al-

though most of the inhabitants of the village had gone to church. The Irish by this time began to feel doubtful of victory, and sent to Caledonia (one mile from here) for a reinforcement, but before the auxiliary force arrived, they commenced an attack upon the citizens, and the scene which followed can be better imagined than described. Stones and brickbats went whizzing in every direction through the crowd, and seldom one fell to the ground until its force had been spent against some one of our citizens. Our young men who happened to be at the scene of action, rushed in and closed with them, and after an obstinate contest of about twenty minutes, succeeded in conquering them, although the Irish were as many as two to one. They seemed disposed to make another attack when their assistance from Caledonia arrived, (being some six or eight Irishmen) but they finally withdrew leading off their wounded and drunken. We anticipate their coming a hundred or a hundred and fifty strong, next Sunday, to redeem, if possible, their wounded honors. Should they come, we shall be prepared to meet them, and let the consequences rest upon their heads. Several of our citizens were injured by the missiles thrown in the crowd, and others had their clothes torn from their backs; indeed, I saw one man who was almost as naked as when born, but he was one that had done right yeomanly service in flogging them out. I should not forget to mention that they came prepared to do execution, as each one had a stone in his pocket, and also one in his hand wrapped up in a piece of cloth.

The *Buffalo Commercial Herald* of Monday 10th, gives the following account of a riot, which occurred on Sunday. There can be very little doubt but that there is something in the *atmosphere*, which produces these numerous acts of violence and bloodshed!

We have the mortification of stating that our city was, yesterday afternoon, disgraced by an extensive and brutal riot. At the close of the church services, a large collection of noisy and turbulent persons was discovered at the Erie street canal bridge, who were settling some difficulty in the usual mob style, by a regular set-to with fists.

The rioters were in two parties—one of about 150 in number, composed of boatmen, sailors, loafers, &c. were forcing their way over the bridge; the other party, consisting of some 50 Irishmen, were disputing their passage.

Alderman Allen instantly repaired to the spot, and endeavored by virtue of his office, to disperse the combatants; but the excited belligerents disregarded all advice or warning, and arming themselves with stones, commenced discharging volleys of sharp fragments at each other, which compelled alderman Allen to retreat for his life. In a short time, he returned with alderman Blossom, and a few individuals whose services were put in requisition, no police being at hand, and succeeded in arresting about thirty of the ringleaders on both sides, who were lodged in jail. Numbers of each party were severely bruised, and one man is said to have had his leg broken.

The cause of the fracas seems to have been an attempt of a party of stragglers to cross the bridge for the purpose of witnessing an Irish row which was enacting on the opposite side of the canal; it being resisted by a number of the Irish, a general *melee* took place—the battle increasing momentarily by fresh arrivals at the scene of combat.

Correspondence of Hudson's Merchant's News Room.

Utica, August 11. *Office of the Whig.* We learn by a passenger in the stage from Hamilton, Madison county, that a quarrel arose on Sunday last between two parties of Irish on the Chenango canal, about two miles north of Hamilton. The uproar continued all night, and the next day, Aug. 10, the parties having procured guns and pistols fired upon each other, and wounded three persons severely. The militia were immediately called out, and marched to the scene of action, where they secured a number of the combatants, and confined them in a barn under guard. The gentleman who gave this information saw the militia marching down to the fight. The country was in a state of alarm for several miles around. The Irish on the canal were hurrying on to join in the fight, and despatches were sent out to several towns in the vicinity for reinforcements of the military.

Riots at Mobile. We are informed that this place, too, has been disgraced by a riot. Our informant, who arrived yesterday, states that several persons arriving from this city were seized by a mob, and cruelly beaten on a perchance that they were gamblers from Vicksburg. They were obliged to leave Mobile. We are however assured that not a single person of any respectability at Mobile was engaged in the riot.

[*N. O. American.*

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No doubt many who have been *executed* in Mississippi were entirely innocent of offences—others, however, confessed their guilt. But the *manner* of the proceedings were horrible, even in regard to the latter.

The citizens of Vicksburg at a public meeting resolved to erect a monument to the memory of Dr. Bodley, who was shot by the gamblers. Business was suspended on the day of his funeral.

The National Intelligencer, in publishing the account of the bloody affair at Madison, Mississippi, very properly introduces it with the following exclamation:

"*The fruits of fanaticism.* Behold, ye 'liberators,' 'emancipators,' 'abolitionists,' the fruits of your extravagance and folly, your recklessness, and your criminal plots against the lives of your fellow men!"

The Commercial Advertiser very justly remarks: "Should the poor blacks of the south be instigated to another insurrection, by the agency of the abolitionists at the north, and a servile war ensue, followed, as it might be to extermination, and as it would be, by all the untold and unutterable miseries of such a contest, whose skirts will be stained by the blood that would flow? Upon whom might the widow charge the agony she was doomed to suffer? At whose doors would lie the guilt of ravished innocence? To whom would the orphan have occasion to point as the murderers of his parents? These are solemn considerations, which some of our very neighbors may yet be called upon solemnly to answer—perhaps at a more awful bar than any upon earth!"

We understand that the sum of twenty thousand dollars has been made up in New Orleans, as a reward to be paid for the delivery of Arthur Tappan, the celebrated agitator, upon the levee in that city. Tappan will soon find that even his extreme wealth will not enable him to repose in quiet; and he may himself realise some of the apprehensions which he has been instrumental in inflicting upon others. [*Richmond Enquirer.*

The *New York Courier and Enquirer* says: Excitements seem travelling this way, for we had one here even on Saturday, when an extraordinary agitation prevailed for some time in Wall street, in consequence of a large stock broker refusing to comply with his contracts in Harlem rail road stock, and we believe alledging no other reason for it than the great loss which would fall on him, if he did! If the legislature, instead of endeavoring to pass absurd laws to restrain these kind of transactions, would declare them valid and legal, we are convinced it would entirely take away from their pernicious characters, at the same time that it would compel a certain class of operators to be cautious how they embarked in arrangements with a view to *swindle* the unsuspecting.

Accounts from *Jamaica* give us to understand that —The spirit of opposition to the powers that be, is truly violent. It is not alone in the United States that a public officer has to hear and read of his faults.

A recent trial of a black apprentice for the murder of the overseer, let to the disclosure of a plot for extensive bloodshed. Several of the negroes implicated have been arrested, and will be brought to trial.

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Boston has been in a feverish state—on account of some discussions of the Catholic question, producing large gatherings of the *wildest* classes of the community, on either side.

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We learn, says the Baltimore Chronicle, from passengers in the boat that considerable excitement prevails in Philadelphia in relation to the late proceedings of the Abolition society. The rumour is that the house of *David Paul Brown*, esq. was to have been attacked on Tuesday night, and that it was defeated by a tremendous storm of thunder and lightning. The Philadelphia papers of yesterday morning contain an address from Mr. Brown in relation to his connection with abolition societies.

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An unhappy state of public feeling exists at *Washington*, if we may judge by the newspapers. *Snow*, the colored man who recently made his escape from Washington, has been arrested at Fredericksburg, Va. and will be sent on to Washington for trial.

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The Richmond Whig says—"It is as we conjectured—The Mr. Robertson now near Mount Laurel in Halifax, and who was chased as the incendiary of that name, is a totally different person from him. We devoutly hope that no mal-treatment will be offered him. Mr. David F. Robertson, the gentleman improperly suspected, clears himself in a letter published in the Enquirer. Here is another consequence of the machinations of the fanatics —that an honorable and innocent man is pursued and dogged, and exposed to great personal danger from their wicked attempts."

The report, then, by the way of Norfolk, that Mr. Robertson, had been hung, was incorrect.

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A young man by the name of *Dresser*, was arrested in Nashville, on the 8th instant, on whom a number of incendiary pamphlets were found. He was taken before the committee of vigilance, and after undergoing an ex-

amination was condemned to be punished by an infliction of *twenty stripes on his bare back!* and ordered to leave the place in twenty-four hours. At the same time, says the Nashville Banner, that the examination was in progress, at the court house, a vigilant patrol of citizens succeeded in capturing another villain in the vicinity, *in the very act of tampering with slaves.*

The following strong resolutions were passed by the city council of Charleston and are published for general information; they are well calculated to produce the effect of stopping the circulation of incendiary publications in that city.

City council, August 11, 1835.

Resolved, That the intendant be authorised to offer a reward of ONE THOUSAND DOLLARS, for the apprehension and conviction of any person bringing into this city, any incendiary paper or publication, or of printing, publishing, circulating or distributing, any paper or document, tending to excite insurrection, or to disturb the domestic quiet and good order of this community; or in any form or manner, whether it be orally, or otherwise, calculated to interfere with our domestic institutions.

Resolved, That it be not considered odious, but praiseworthy, to become an informant, when the information leads to the disclosure of circumstances, adverse to the peace and good order of the community, or tends to bring to deserved punishment the miscreant who would by word or deed attempt to corrupt our domestics.

Resolved, That any person who voluntarily and of his own consent, receives incendiary pamphlets or publications, or in any way harmonizes in feeling, holds communication and correspondence with abolitionists, abolition societies or agents of such, be considered inimical to our institutions and enemies to our state.

Resolved, That the above resolutions, be published. From the minutes. WILLIAM ROACH, *clerk of council.*

A man named *Brady* has been arrested in North Carolina—and another called *Pugh*, in Virginia, charged with "tampering" with the slaves.

Some parts of Maryland are much disturbed by the "incendiary attempts." So also at Norfolk and many places in Virginia. A letter from Chestertown, Md. dated August 17, says—"This town has been in an uproar for several days. A suspicious person, direct from New Orleans, without any ostensible or plausible object, has been discovered in conversation with the negroes, and has visited some of their gatherings in this vicinity. He is now in jail, and his examination takes place to-day. The town is now guarded every night by armed men of the first respectability. The people are much excited and alarmed."

A man named *Robert Bell* was hung at Clinton, Mississippi—as an "insurrectionist."

The villain who made the attempt upon the life of his mistress, Mrs. Thornton, in the city of Washington, has been arrested and committed. There was some difficulty in preventing the populace from hanging him "without judge or jury."

The Philadelphia Gazette says—"The Abolition society held a meeting last evening in their hall, between Cherry and Race streets, near Sixth. A number of persons, both colored and white, attended, and Mr. D. P. Brown was expected to make an address. A considerable crowd however assembled, and manifested a disposition to disturb the meeting. The society, to avoid disturbances, and in accordance with advice of the city solicitor, adjourned.

The following account is from the Worcester Palladium:

An *abolition meeting* was held in this place, at the town hall, on Monday evening. Some indications of disapprobation were manifested in the meeting in the early part of the discourse, by a considerable number of persons at and near the door of the hall, by hissing, stamping and shouting, but not so as seriously to interrupt the discourse or much to disturb the audience. Previous to the close of the discourse, an individual, preceeded by another, marched to the desk, where the speaker, Mr. Scott, was holding forth, and took possession of his notes, deliberately, and then retired without interference or interruption from any person. The meeting was immediately closed, and the ladies were invited to retire, which they did—and Mr. Scott, accompanied by his friends, as soon as convenient, left the hall. We understand Mr. S. left town the same evening, or, at least, the village of Worcester.

From the Augusta (Geo.) Chronicle.

Mr. Editor: The following is the 5th sec. div. 3, of the late penal code:

"If any person shall bring, introduce, or circulate, or cause to be brought, introduced or circulated, or aid or assist, or be in any manner instrumental in bringing, introducing, or circulating, within this state, any printed or written paper, pamphlet or circular, for the purpose of inciting insurrection, revolt, conspiracy, or resistance, on the part of the slaves, negroes or free persons of color, in this state, against the citizens of this state, or any part of them, such person so offending, shall be guilty of a high misdemeanor, and on conviction shall be punished with DEATH."

Let the people *beware*, for the law shall be enforced, even *unto the letter!* A CITIZEN.

Incendiary publications. Tappan's factory in N. York must be well supplied with these publications, as they are forwarded in great numbers to the southern states. Maryland has been favored with her share, and the mail to this city has been well loaded with them. We have seen and examined some of them, and, whatever may be said to the contrary, by their authors, we assert that their tendency is inflammatory and injurious. We know not what result Mr. Tappan expects or hopes to effect by these publications—but we can assure him, and those engaged with him in the business, that they are preparing the greatest calamities for the objects of their solicitude. The southern people have at least as much humanity as the busy self-righteous philanthropists who are attempting to instruct them in their duties—but they are prepared to maintain their constitutional rights. Congress will have to take this subject in hand, and pass such laws as may be necessary to prevent fanatical interference with the southern states—or those states will redress their grievances by independent action. [*Balt. Chron.*

The store keepers of Charleston, S. C. held a meeting on the 3d instant, and passed, among others, the following resolution:

Resolved, That as we *dispise the means*, and *suspect the motives* of the abolitionists, we must necessarily *abhor* them; and with these feelings we solemnly pledge ourselves not purchase from, or traffic directly or indirectly with any abolitionist.

Another row. A person by the name of Scott, passing through Elm-street, a few days ago, was knocked down by an Irishman, and the parties commencing a fight, the Irishman getting a little the worst of it, was assisted by several of his friends, and a boy ran into the office of the street inspector for help. Mr. Hatfield, and several persons came out to quell the disturbance, and arrested two of the assailants; and were about carrying them to the police, when a band of about fifty of their countrymen armed with shillelahs, rescued the persons arrested, and beat Hatfield, the inspector general of streets, in a very severe manner, knocked out two or three of his teeth, and beat every person who attempted to keep the peace, and carried off their countrymen in triumph. [*N. Y. Star.*

☞It is manifest, we think, that a great simultaneous movement has been made by *Tappan & Co.* to produce an insurrection of the blacks.

☞It is impossible for us to *register* what has happened as to the exciting subjects mentioned.

BALTIMORE—VARIOUS.

Died, of wounds received on Saturday, the 8th inst. *Louis H. Wolfe*, aged 30 years—an innocent *looker-on.*

[It is remarkable that this is the only person yet published as having been killed in the affray.]

The bail required for *Messrs. Mass* and *Rau*, was $2,000—not $4,000, as heretofore stated.

From the American of Monday. Among the arrests which were made by the civil authorities on Friday night, on various

Saturday morning, was an active participator in the late riots, who made disclosures that led to the apprehension of others who are believed to have taken an equally prominent part therein.

To the public. The undersigned learning with regret that many suppose the *card* signed by Mrs. J. E. Hintze, was published with his knowledge or approbation, he begs leave to assure his friends that the publication was made without his knowledge and never could have obtained his approbation.

F. E. B. HINTZE.

Mrs. H. had published a card—thanking the rioters for their forbearance.

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To the editor of the Baltimore Republican.

SIR: In your paper of this morning, you have the following paragraph:

"Efforts were made on Sunday morning to assemble a military force to be brought into action at night, should occasion require it; but major general Smith resided in the country, and brigadier gen. Geo. H. Steuart, being accidentally from home, neither of them could act. Col. Howard issued his orders, and appeared, with his officers, upon the ground, but from some unknown cause it was found impracticable to collect an efficient force, and no resistance was offered to the course of the rioters. General Smith came to town, and gen. Steuart returned, on Monday morning, when measures were immediately taken to provide the necessary means for a restoration of order and the protection of lives and the property of the citizens; the result of which we have already stated."

From your loose way of stringing things together, one would suppose that the arrival in town of general Smith and general Steuart, gave the original impulse to the "measures that were immediately taken to provide the necessary means for a restoration of order," and this you have placed in marked contrast with my unsuccessful exertions on the preceding day.

That those gentlemen acted with becoming spirit upon the occasion, few know so well as myself; because I was in consultation with both early on Monday morning, and none will testify to their zeal with more pleasure. But, from the circumstance of my ineffectually endeavoring to get out the brigade to which I belong, on Sunday, and the manner in which you have mingled together the two facts of their coming to town and the adoption of "measures to provide the necessary means for a restoration of order," inferences may be drawn unjust to myself; and I therefore feel it my duty to say that, within my personal knowledge, the "measure" of assembling the citizens at the exchange had been resolved upon, and was in the course of being carried into effect, before either of those gentlemen came to the city. That meeting was the result of a spirit of resistance among the citizens which did not manifest itself on Saturday or Sunday. The attempt to collect a large constabulary force, which was recommended to the mayor by the respectable meeting at the city hall on Saturday, failed lamentably as to numbers, through the indifference of a portion of the community, *and the unwillingness of others to meet the rioters without arms.* The increased agitation of the public mind on Sunday morning indicated rather an accession to the strength of the rioters, than a rally for the preservation of the peace. In the course of Saturday night I had received a requisition for the military services of the brigade, the command of which had devolved upon me, and ordered it to parade at 8 o'clock on Sunday morning, notices for which were properly circulated during the night and early in the morning. When I arrived on the ground in uniform, I found the projected parade an utter failure, seeing not an individual in uniform or under arms; some of the officers and two or three men, but no more, I have subsequently learned, attended at various times. A meeting of all the officers who could be assembled was held, at my instance, at three o'clock in the afternoon; and from them I could only obtain a doubtful promise of twenty men in all, each speaking for his own command. It was not until the excesses of Sunday night, and the progressive spirit of mischief exhibited by the rioters, had brought the business home to every man's feelings, that a general determination to suppress further violence, was displayed by the citizens, and this, properly directed as it has been, is the cause of the present happy restoration of order.

Deeply regretting that you have compelled me to present myself to the public notice in any manner whatever, I am, &c.

BENJAMIN C. HOWARD.

Baltimore, Aug. 12th, 1835.

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To the people of Baltimore.

FELLOW CITIZENS: Nearly all that I was worth in the world has been destroyed by a deluded and excited multitude. The savings of seventeen years hard and anxious labor are taken from me, but I trust in God that with the reflecting, and the virtuous, my character will be unstained. The people are misled. I have an undoubted confidence that sooner or later they will do me justice. In the legislature of their state, at great pecuniary sacrifice, I served them seven years with a zeal and ardor, which none could have surpassed. Those who know me, know that I am incapable of fraud. What I had accumulated, after having devoted my days and nights to the support of a large and helpless family, including a mother, an aunt and a younger brother, is gone, and I and a wife and seven children are amongst you, almost without a dollar, but with an assured consciousness of my innocence. Your city became my residence by choice. Nothing but death will ever remove me from amongst you; every act of my life during the eighteen years that I have lived with you, I ardently desire to have most searchingly scrutinized. I will abide by the result. If a solitary creditor of the bank of Maryland shall still think that I have done him injustice, let him select his own tribunal from any men of character in the city or elsewhere, to decide between us; and if I am found in one individual particular to have done the institution injustice, legal or moral, I pledge the subsequent earnings of my life to make it good. Money to me, my family and my friends, is nothing in competition with my honor. By them all, my death would be prayed for, if my reputation cannot be preserved. But I have no fears. I repeat it, that I know that justice will be done me. It is impossible that with any civilized and Christian people injustice can long prevail. They may be misled for a time, but in the end they must and will be right.

I return to my profession with a mind unmoved, a conscience untouched, and with an unfaltering conviction that I will be supported by the virtue and intelligence of the city. I was absent when the violences of the past week were perpetrated. God in his mercy willed it so. Had I been here, myself and family might have been the victims of the popular fury. We are now amongst you once more, and we leave not the city with life.

REVERDY JOHNSON.

Barnum's hotel, 14th August, 1835.

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To the citizens of Baltimore.

Respect to my fellow-citizens, and justice to myself, require that I should state more fully than I was enabled to do in my communication to the council, the reasons which seemed to render my resignation necessary. For this purpose, it is proper that I should refer to some of the causes which produced the melancholy occurrences of the last few days.

It is well known to this community, that from the time of the failure of the bank of Maryland, in March, 1834, much excitement has continued to prevail upon this subject, and that for the last few months it assumed a more general and angry character, and the disorders which have recently taken place in other cities have unquestionably tended to augment this evil.

The first indication of a disturbance of the public peace, was manifested by the circulation of many anonymous communications of an inflammatory character. On Wednesday night there was a very inconsiderable assemblage in front of Mr. R. Johnson's house. They soon dispersed, without any interference being necessary on my part. On the following night there was a larger assemblage at the same place, and upon the appearance of disorder I addressed the assemblage, and effected my object without finding it necessary to use the police.

Believing that it had now become necessary to adopt additional measures for the preservation of order, I deemed it proper, in accordance with the recommendation of many respectable citizens, to call a public meeting at the exchange, which was very numerously attended; appropriate resolutions were proposed by a committee, and adopted. A resolution was also offered by an individual, alleged to have suffered by the failure of the bank of Maryland, and the manner in which it was received, must have convinced all who were present, of the general excitement in reference to the affairs of that institution.

Immediately after the adjournment of this meeting, I adopted further measures to allay public feeling, and preserve the peace of the city. On the same night a very large and disorderly assemblage again took place at Mr. Johnson's house. One of the counsel for the creditors of the bank or Maryland addressed them, giving an assurance that the most efficient and expeditious measures were adopted to insure redress to the creditors of the bank.

At this time I had the mortification to find, that the unceasing efforts industriously used for the last twelve months to injure my reputation and destroy the influence of my official character, in consequence of having unfortunately been a nominal* director of the bank of Maryland, was powerfully exerted to prevent me from being heard. This was in some measure overcome by a reference to the statements heretofore made of the manner of my connexion with the bank, and the fact of myself and family having suffered largely by its failure.

I found it necessary to call to my aid the entire city police, together with every citizen present whom I could induce by the most earnest appeals; and thus succeeded, with extreme difficulty, in restoring tranquillity for that evening.

I now distinctly perceived that nothing but an effort on the part of the people generally would check the torrent of disorder; but still believing that the community who had so long sustained me in the discharge of my official duties would by a united effort effect the object without resorting to military force, and my desire to accomplish this without the shedding of blood, induced me to invite the counsel of a number of citizens from every part of the city, who met in the city hall on Saturday. The result of their deliberations fully coincided with my own views as to the course to be pursued, which was to make another effort with the civil authority aided by citizens WITHOUT THE USE OF DEADLY WEAPONS. This was attempted, but owing to the small number of citizens who could be induced to aid the regular police, in the early part of the night, it was apparent that our exertions must prove ineffectual. At this pe-

*A "nominal director." Persons will be careful how they accept such places, hereafter. There should be no "nominal" directors!—but there are many such.

riod, in a conference with the sheriff, he informed me that a requisition had already been made upon the commanding officer of the light brigade for the volunteer troops under his command, and that the immediate use of fire arms by those citizens then present had also been authorised. Although I did not give the order for the use of fire arms, yet I deemed it my imperative duty still to remain, and give the most positive directions (as many can testify) that they should only be used in the last extremity.

About 10 o'clock on Sunday morning, the commander of the light brigade called on me at my residence and stated, that, in compliance with the requisition of the civil authority, he had ordered the military companies under his command to assemble at 8 o'clock that morning, but that the call had not been responded to by the military, and was entirely ineffectual.

Having incessantly labored for several days and nights for the preservation of the public peace, as those will testify who witnessed my exertions, and when further measures seemed necessary, made the most earnest appeals and solicitations to the citizens, the failure to procure the aid of a sufficient number to effect the object, and the information that the call upon the military as a last resort was entirely unsuccessful, produced feelings which may be imagined, but cannot be described. Those feelings were embittered by the conviction, that the incessant efforts of designing persons to destroy my official influence by various false and malicious pretexts, had not failed to produce an unjust and improper influence upon the public mind.

That the actual state of things might be fully known, I proceeded in company with a friend through the western, and in the afternoon conferred with many persons who were congregated in the central part of the city, and finally the encouragement actually given by many to an infuriated multitude who were then in broad daylight engaged in destroying the remains of Mr. Glenn's property, together with the evident general apathy, did not leave the vestige of a doubt upon my mind, that the mighty torrent of disorder and riot could not then be checked.

Having utterly failed in every measure for the maintenance of the public peace, the safety of those dearer to me than my own life required that I should return to my residence and make provisions for their removal. This done, I took lodgings at the house of an estimable friend in the neighborhood, and was compelled to listen during the night to the heart rending shouts of those who were engaged in the burning and destruction of my property, without the possibility of preventing it.

In the morning I visited my dwelling, and did hope that the scene of destruction would have satisfied the most inveterate, but I soon discovered that the malignant disposition of many individuals was not yet appeased.

On my arrival at the city hall I immediately convened the city council, and communicated with them respecting the existing state of affairs. It was evident that the destruction of property, and other excesses of the past night, had aroused the citizens generally to a sense of their imminent danger—and at length they saw that unless an entirely different disposition than that which had characterized the last few days was evinced, universal destruction and ruin must be the inevitable result. Hence, hundreds who but yesterday could not be induced to take an active part in the suppression of disorder, now for the first time seemed to be convinced of the necessity for decisive measures.

There was now reason to believe that public tranquillity would be restored. Indeed, the feeling which seemed all at once to wake up in the community gave evident intimation that the restoration of law and order were at hand; and my friends have expressed their surprise and regret that I should have resigned the mayoralty just at the moment when such brightening prospects appeared. It must be admitted, however, that nothing could have justified me in abandoning my post until the danger was past, and until I was convinced my continuance in office would rather impede than promote the restoration of peace. My fellow citizens who had called me to a situation of such high responsibility had refused to sustain me in the most trying exigency, while many persons availed themselves of the opportunity to manifest the most malignant personal feelings towards me. Deeply mortified that my best efforts to enforce obedience to the laws had failed for want of public support, and fully convinced that all my measures would continue to be opposed, and my intentions misconstrued by my enemies, I hoped that the public interest might be promoted by the transfer of my authority to another, and I resigned. The measure was dictated by a sense of self respect, and taken with a view to the public good, and, whether right or wrong, no man could act under a firmer conviction of duty.

I cannot close this communication without tendering my warmest acknowledgments to that portion of my fellow citizens who, with zeal and energy, sustained and aided me in my efforts to preserve tranquillity, and I should do injustice to the captains of the night watch, the city police officers, bailiffs and watchmen, were I not to bear testimony to their active and untiring efforts in the faithful discharge of their duty. Their conduct affords another evidence that my confidence in them had not been misplaced. JESSE HUNT.

Baltimore, August 13, 1835.

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To the citizens of Baltimore.

FELLOW CITIZENS: I have noticed that my name has been announced in the newspapers as a candidate for the mayoralty. I cannot but feel pleased with those who have thus brought me forward, because I consider the act as an approval, on their part, of my humble but sincere and zealous exertions to maintain the public tranquillity. Under ordinary circumstances, I should feel truly gratified to be thus proposed as a candidate for the distinguished office of mayor of Baltimore; but when the venerable patriot and soldier is in the field, I must retire. Uniting my voice to that of the public, partaking in their gratitude for our distinguished fellow citizen, gen. S. SMITH, I withdraw, with pleasure, my name from before the public as a candidate for the office for which my friends have so kindly nominated me. A. MILTENBERGER.

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Mayor's office, Aug. 15, 1835.

TO THE CITIZENS OF BALTIMORE.

The generous devotion to the public safety, which prompted you to rally around the standard of order, has been crowned with the success it merited. Peace is restored to our beloved city, and her people repose in their accustomed security. But signal as has been your triumph over the enemies of our tranquillity, and efficient as I trust will prove the exertions of the ordinary police in arresting the principal agents in the late disturbances, and preventing a repetition of their attempts, it is proper that we should not again be found unprepared for such an emergency as we have lately experienced, and which the exemplary habits of our population, for so many years, forbade us to expect. I respectfully recommend, therefore, that you should perfect your patriotic efforts, by organizing yourselves forthwith, into a *permanent city guard*, pledged to maintain the ascendancy of the laws and the peace of the community. If each ward will raise a company for this purpose, the fatigues and exposures incident to our present circumstances, would be greatly diminished. By a regular distribution of duty among the defenders of the town, its industry would more easily resume its peaceful operations, and Baltimore would possess a tried military corps, ready to start forward at the first alarm, and put down any attempt to subvert the laws. As the services of several companies from different wards have been already tendered and accepted at this office, I would suggest, that such other associations as may be formed on the same plan, do report as soon as possible, to this department.

I avail myself of this occasion to tender my warmest thanks to the military, the firemen, and my fellow citizens at large, for the energetic support they have given to the city authorities, in the late dangerous crisis. A. MILTENBERGER,
mayor of Baltimore.

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To the citizens of Baltimore.

It is proper that I should announce to the public that I have returned to the city, with a fixed determination to attend to the duties of my profession.

At the present moment I have no disposition to recur to the melancholy events of the last few days, which have terminated in depriving my wife and children of a home. For their support in the present condition of my fortunes, the most vigorous exertions will be necessary; and here, where I have lived from my earliest childhood, and where they have all been born, am I resolved to labor for that desirable object.

It is my most anxious wish that the public mind should be calmed and restored to a healthy condition; to any honest tribunal, I care not how constituted, I am willing to submit my whole conduct, *and the public will find whenever such an investigation is had, that I have never inflicted the slightest injury upon the bank of Maryland or its creditors.* Most cheerfully will I surrender every dollar that is left to me, and appropriate my future earnings to their benefit, if it should be found that an imputation of fraud either legal or moral, can properly attach to any single act of mine, connected with that unfortunate institution.

I am proudly conscious of my own innocence. I know that the prejudices which have been created against me will soon pass away—that the most ample justice will be done me, and that my character in this and in every other transaction of my life will stand fully vindicated before my fellow citizens.

JOHN GLENN.

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Head quarters, third division, M. M. 15th August, 1835.

The city continues quiet. The civil authorities have been vigilant, and a number of persons have been arrested by the peace officers.

The citizens generally appear to be sensible of the necessity of some effective and perfect organization of the militia, which shall forever prevent the occurrence of such scenes as those of Saturday, Sunday and Monday last, and it is recommended to all who value the security of persons and property, and who are interested in the prosperity of our city, to join the volunteer corps or such other associations as may have for their object a prompt support of the civil authority in suppressing all riots.

It is well known the militia here has for some years past been so discouraged or so little appreciated by those who should be most interested in its preservation, that it has fallen into a state of inefficiency.

It is therefore ordered, That the different corps and volunteers will parade at their respective stations at 5 o'clock, P. M. and the commissioned officers will report to head quarters. By order of brigadier general *Stewart*, commanding.

JOHN THOMAS, *inspector of division.*

Regimental order, 5th regiment, V. I.

Captain *Hillen*, of the Independent Blues, will report himself and company for duty to-night, to general Robinson, at 7 o'clock, whose head quarters will be at the session room of the rev. Mr. Breckenridge's church.

Captain *Hickman*, of the first company, will report himself and company for duty to-morrow night, (Sunday) to the officer in command at the corner of Franklin and Charles street, at 9 o'clock. By order of col. Howard.

W. J. COLE, *adj. 5th reg. V. I.*

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Head quarters, 1st regiment artillery, Aug. 15th, 1835.

The Junior Artillerists are detailed for duty on Sunday, the 16th inst. They will parade on battle monument square, at 9 o'clock, A. M. By order of col. Stiles.

JOHN SPENCE, *acting adj't.*

To capt. *Joseph Willey*, commanding Junior Artillerists.

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Council chamber, Annapolis, 15th Aug. 1835.

To *major gen. John Spear Smith*, 3d division, M. M.

SIR: I have received your report bearing date on yesterday, apprising me that order is restored in the city of Baltimore, and that the civil authorities are again in the undisturbed exercise of their functions. These tidings have afforded me heartfelt pleasure.

To yourself and also to the officers and men under your command, the highest praise is due, and by me most gratefully acceded, as it will certainly be by the people of this state, for the arduous and invaluable services which you and they have zealously and so effectively performed.

I would now gladly relieve the forces under your command from further duty, if I did not consider it expedient that the most vigilant care of the public peace should be observed, until the feelings incident to the recent violations of order and the due administration of the laws in the premises, shall have entirely subsided. I therefore direct you to keep such parts of the force under your command in service, as you may deem adequate to compel a strict observance of the peace, and that you require them to perform such duties as circumstances may, in your judgment, seem to render proper or necessary.

I cannot permit the occasion to pass by without adverting to the eminent services which have been rendered by your distinguished and venerable father, gen. *Samuel Smith*, in restoring the reign of order, and re-establishing the supremacy of the laws within the city of Baltimore: services which have already commanded for him the gratitude and admiration of every good citizen: and in adverting thereto, I speak but the universal sentiment, when I acknowledge the obligations which the citizens of Maryland owe to him for having so largely contributed by his example and personal exertions to restore instant tranquillity to the city, at a dark and threatning period, when the dominion of lawless violence seemed but to have commenced.

I have the honor to be yours with great respect,

JAMES THOMAS.

[This letter is from the worthy governor of Maryland—who, though seriously indisposed, proceeded to the seat of government, at the moment of receiving the information from Baltimore; and subsequently, extended his journey hither.]

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Mayor's office, Baltimore, Aug. 17th, 1835.

The mayor has the honor to inform the major general commanding the third division of the Maryland militia, that the causes which led to the requisition of the 10th inst. for the services of the military, have ceased to operate: and that their aid is no longer necessary to the maintenance of the peace of the city; excepting a small detatchment for the security of the jail and other public buildings.

While making this annunciation of the happy restoration of tranquillity, the undersigned would do injustice to his own feelings, and those of the large and respectable community, over whose security he was so unexpectedly called to preside, were he to omit the expression of gratitude due to the promptness and energy with which the officers and men of the division have obeyed the requirement of the law.

Averse as our institutions and habits are to hasty appeals to the sword, it is highly gratifying to find the republican citizens can as readily respond to the call of their country, when seriously menaced by disorders, as the subjects of more absolute governments; and that whatever temporary ascendancy over public opinion delusion may occasionally attain, our establishments are permanently secured by the arms of an enlightened and virtuous people from whose will they derive their existence.

To the commanding general the thanks of the department are especially and respectfully tendered for the courtesy, ability, diligence and zeal which have characterised his co-operation in every measure to preserve the public peace.

A. MILTENBERGER, *mayor of Baltimore.*

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GENERAL ORDER.

Third division of Maryland militia, head quarters, Aug. 17, 1835.

In consequence of a communication from the mayor of this date, stating—"that the mayor has the honor to inform the major general commanding the third division Maryland militia, that the causes which led to the requisition of the 10th instant for the services of the military have ceased to operate; and that their aid is no longer necessary to the maintainance of the peace of the city, excepting a small detachment for the security of the jail and other public buildings"—

The major general of the third division announces to the troops under his command that they are discharged from active service, reserving such force only as may be necessary for the defence of the jail and other public buildings—but that in obedience to an order from the commander-in chief they will be held in readiness for further duty, and will repair to their several posts at a signal from three pieces of artillery, to be fired in quick succession.

The major general would fail in the performance of his duties were he to withhold the expression of his entire satisfaction at the conduct of the officers and men engaged in restoring order, securing public tranquillity, and re-establishing the supremacy of the laws. Such have been the happy result of their efforts—to discriminate would be difficult where all had done their duty so well, and so efficiently.

By order of major general *Smith*.

JOHN THOMAS, *inspector of division.*

AFTER ORDER.

Officers commanding the western, centre and eastern districts will, until further orders, detail alternately a company of infantry for duty at the jail and other public buildings. By order

JOHN THOMAS, *inspector of division.*

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Firemen's head quarters, August 17, 1835.

I have great pleasure in presenting you the following communication from the mayor of Baltimore, announcing that order and tranquillity is again restored to our city, this public *declaration* must be most gratifying to every good citizen, and no portion of them, will rejoice more at this happy event than the firemen of Baltimore.

The officers and members of the respective fire companies are hereby discharged from further guard and patrole duty.

JOS. K. STAPLETON, *chief marshal fire department.*

To the president of —— fire company.

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Mayor's office, August 17, 1835.

TO THE FIREMEN OF BALTIMORE.

FELLOW CITIZENS: The disorders which you so readily came forward to suppress have ceased to agitate our city, she repases in her accumstomed security.

It is with infinite pleasure, therefore, that I apprise you of the present state of our affairs, that you may be spared the continuance of those extraordinary exertions which you have of late so generously made for the public good.

Devoted as your are habitually to the general safety, you appeared at a critical moment, to check the progress of a moral conflagration more appalling than the wildest ravages of that destructive element it is your pride to encounter and subdue.

Success has as usual rewarded your efforts, order is restored, and an admiring and grateful community again commits its safety to your usual vigilance and care. Justly proud as Baltimore has long been of her fireman, their recent services have given them new claims upon her consideration, and it greatly enhances my own gratification at her present condition, that the duty involves on me to tender you this inadequate expression of her thanks. A. MILTENBERGER, *mayor of Baltimore.*

—

We understand the late disturbances in our city have determined the executive of Maryland to take up the consideration of the mititia law, recently passed by the legislature of Maryland, and which cannot go into effect unless officially sanctioned by the governor.

—

We learn that the citizens of the fifth ward held a meeting on Friday night last, and determined on the formation of a permanent *city guard* for that ward, to be organized under the command of col. William Steuart. The association at this time consists of about two hundred and thirty members, and is to be divided into sections of fifty each. One of these sections has been regularly detailed for service every night, and the duty has been actively and zealously performed.

MEETING IN RICHMOND, (VA.) AT THE CAPITOL.

At an adjourned meeting of the citizens of Henrico and the city of Richmond, held at the capitol on Tuesday, Aug. 4th, 1835:

The chairman, (Dr. *John Dove*), informed the meeting that the committee appointed at the last meeting had performed the duty assigned them, and were ready to report: Whereupon,

R. G. Scott, esq. submitted the following preamble and resolutions, as the report of the committee:

Richmond, Monday, August 3, 1835.

At a meeting of the committee appointed by the meeting of the citizens of Richmond and the county of Henrico, held at the capitol on the 24th day of July last:

Present, John Dove, Robert G. Scott, John Brockenbrough, John Cosby, Nathaniel Denby, Wm. D. Wren, Philip Mayo, James Sizer, Charles H. Hyde, Andrew C. Atkinson, Samuel Pleasants and Jacob Mordecai—Dr. *John Dove* was appointed chairman, and *Philip Mayo*, esq. secretary.

The following preamble and resolutions were submitted, and unanimously adopted by the committee, and ordered to be reported to the adjourned meeting to be held on the evening of Tuesday, the 4th day of the present month:

REPORT.

The committee appointed by the meeting of the citizens of the city of Richmond, and the county of Henrico, held on Fri-

day, the 24th day of July, 1835, to consider and report what measures are proper to be adopted, in regard to the attempts making in some of the northern states to interfere with the slave property of the south, have had this subject under their serious consideration, and submit the following report and resolutions for adoption:

In common with every respectable portion of our fellow citizens, we deeply lament that stern necessity, and a regard for our just and constitutional rights, and the peace and harmony of our country, have required of us some public expression of our opinions, and some decisive action on this momentous and delicate subject. No consideration short of these, could have induced us, in our primary character, to bring into notice the measures which some associations to the north have adopted, the direct effects of which are, the destruction of our excellent form of government; to overwhelm this fair country with a civil and servile war; and to cover these prosperous states with a gloom and desolation that neither patriotism nor wisdom can remove or repair. We approach, then, this delicate subject, with every conviction of the temperance and forbearance with which it should be treated, and with the fixed design of doing and saying nothing but that which the exigency of the occasion shall demand.

It is no longer to be disguised, (and we make the acknowledgment with astonishment, regret and indignation), that systematic and persevering efforts have for some time been making in the northern states to produce a direct inteference with the slave property of the south.

So long, however, as these efforts were confined to the proceedings of a few unprincipled and reckless fanatics, sustained by some misguided, yet well designing philanthropists, we were willing to rely solely on the liberal, intelligent and temperate of our fellow citizens of the north, to restrain and destroy these irregular, unkind and disorganizing movements. No good or reflecting man among us desired to add any thing to the excitement, which the past feeble and vicious measures of the northern abolitionists were so well calculated to produce, and none of us could reconcile it to our duty, to ourselves, or to our beloved country, to do any act that might in the least degree, alienate, or tend to alienate, one portion of our common country from the other. Actuated by these sentiments, we, in Virginia, with all the other southern states, have forborne noticing the associations in question; not doubting but that their further increase and dangerous tendencies would be controled, either by the public sentiment of the northern people, or by the legislation of the states in which they were formed. Recent developments have, however, shewn to our satisfaction, that to remain longer passive, or to neglect to warn the people of the non-slaveholding states against the irreparable mischiefs this intermeddling of some of their people with this subject may produce to us all, would be as wanting in frankness on our part, as it would be unjust towards them. Conceding it to be true, (and we have no disposition to bring into doubt its perfect truth), that a very large majority of the entire population of non slaveholding states condemn all interference with the subject of slavery, either by legislation on the part of congress, or in any other manner, yet it cannot be denied that the abolitionists have formed and organized numerous societies in these states—have raised large sums of money to disseminate throughout the nation their disorganizing, seditious and incendiary doctrines—that they have established presses, and are printing and even now distributing in our own and the southern states the most dangerous and inflammatory publications, for the undisguised purpose of producing by fraud or by force the immediate emancipation of our slaves.

Numerically small as this band of desperadoes now is, they possess pecuniary resources, energy of character and recklessness of purpose, sufficient to do much mischief. They are beyond the reach of *our* laws, and with impunity throw, or attempt to throw, among us, materials which are designed and well calculated to lead to insurrection, plunder and murder. With such men we cannot stop to reason, or to remonstrate; but to those of our northern fellow citizens who wisely and virtuously reprobate all of these attempted outrages on the south, we may safely appeal, in the existing emergency, that they do, by strong, yet lawful, by mild, yet constitutional means, terminate and remove all our just causes of complaint.

Were these states separate and independent nations, and such associations were tolerated by the existing governments of them, it ever has been held among all civilized nations, that the one whose peace and repose might be threatened by such means, has an unquestionable right to demand their removal. If this be true, between foreign states, how much stronger is our claim for a like remedy upon those who belong to and constitute, and as we fervently hope will ever continue to constitute, a part of the same nation, bound together by every tie of interest and affection. If the power and force of public opinion be not strong enough in the non slaveholding states to put down these mad disorganizers, then we of the south have every fair and reasonable claim on these states to attain this end by the passage of effectual and constitutional laws. We cannot doubt, that so just an appeal will be promptly acquiesced in, nor will we anticipate or attempt to depict the consequences which might ensue from a failure or refusal to yield acquiescence. It is entirely in the power of the south, by a change of policy, greatly to annoy the northern states; for were we to pass laws to remove all our free negroes, as disturbers of the peace, from our borders, and to send them to be let loose on our sister states to the north and east of us, we might not infringe any of their laws, but we should be justly charged with the want of courtesy, liberality and friendship. But we adopt no measure to embarrass those states, which are more fortunate in the exemption from a large colored population.

It is just, however, to our brethren, to the north, solemnly to warn them, that our right of property in our slaves is guaranteed by the constitution; and to remind them how sacredly they have, in all time past, regarded this right; that the last attempt to impair the value of this guaranty, by endeavoring to procure the abolition of slavery by congress in either of the states, or in any of the territories, or district, where slavery now exists, or to regulate the manner in which slaves may be sold from one state into another, we shall hold to be a wanton and obvious violation of the compact between the states, and destructive of the whole frame of government.

We cannot permit this proposition to be discussed; the converse of it is so startling and so glaringly iniquitous, that the southern people cannot tolerate its argument. The continuance of slavery, its wisdom, justice or expediency, are questions for ourselves, *and ourselves only*, and the days of this republic will have been numbered on that, when we shall have conceded to any others than our own people the decision of these questions. We admonish, then, our northern fellow citizens, that as they value the blessings bestowed by our constitution, and the continuance of the union; as they estimate the peace of our country; as they would guard against civil commotion, war and bloodshed, to make all within their borders, and under the influence of their laws, desist from their mad and wicked schemes—wicked, essentially wicked and mischievous as well towards the black man, as towards the white, and equally destructive to the happiness of the one and the improvement of the other. Nothing can so strongly demonstrate this truth, as the recent deplorable occurrences in our sister state Mississippi, where the machinations of a few, very few *banditti*, have thrown that whole community into commotion, and brought on the heads of the white and black offenders the summary vengeance of a wronged and enraged people. Thus while we have been but *considering* the necessary measures to arrest the coming evil, we have seen practically exhibited its tendency and result. The aspirations of every humane man and patriot should surely be, that the time may be far, *very far removed*, when like scenes shall be witnessed through our southern country; and yet, as certainly as we are here assembled, will they be, if the rash and wicked attempts of the abolitionists are not promptly repressed. The experience of all time past has shown, however, that the surest and safest means for providing against such dangers as now threaten our domestic peace, are a reliance on our own energies and preparations; and not to repose too much on the sense of justice of those, who, from various causes, cannot so well perceive, or guard against the impending wrong. While we therefore appeal, with entire confidence, to the justice of our northern brethren, we shall not neglect to adopt all efficient measures within our own territory, to provide against any mischief, and to arrest the career of these lawless intruders. Committees of vigilance and correspondence should be organized throughout the state, and our fellow citizens should be invited without delay to hold meetings in their respective counties and corporations for this purpose. The police should be required to exert its utmost vigilance, to detect and bring to punishment all offenders against our laws, and each citizen shall stand pledged to give the most prompt information of their slighest infraction. To our own legislature we should apply for further legislation and action. Our laws should be strengthened, and as the guardians of our rights, our peace and our happiness, the general assembly should call on our sister states to remedy, by all means practicable, our just complaints against any of their citizens. Guided by these views and sentiments, your committee submit, for the adoption of the meeting, the following resolutions:

1st *Resolved*, That we shall hold any attempt to impair the rights of property in our slaves, as guarantied by the constitution, by the abolition of slavery by congress in any of the states, or any of the territories, or district, where slavery now exists, or to regulate the manner in which slaves may be sold from one state to another, as a wanton violation of our political compact, and destructive of the whole frame of our government.

2d. *Resolved*, That we have a just claim on all the non-slaveholding states for the enactment of suitable and efficient laws, to repress and put down, by adequate penalties, all incendiary or seditious associations, whose avowed purpose is to disturb our peace and excite insurrection among our slaves; and we confidently rely on the wisdom and firmness of the general assembly, by a proper appeal to these states, to procure the passage of such laws.

3d. *Resolved*, That it is necessary the existing laws of this commonwealth for the suppression of the printing and circulating incendiary publications, to give them more efficiency, should be amended.

4th. *Resolved*, That it be recommended to the magistrates of the county and the police of the city, to use unceasing and increased vigilance in the detection of fanatical emissaries, and in the suppression of their nefarious schemes.

5th. *Resolved*, That a committee of vigilance be appointed, whose duty it shall be to use all lawful means to protect the interests of this county and city from the designs of those fanatics and abolitionists, who, under the garb of humanity, hypocritically assumed, would deluge our land in blood.

6th. *Resolved*, That it be recommended to the common hall of the city, to place under the control of the committee of vigilance, such amount of funds as will enable them to execute the duties required of them.

7th. *Resolved*, That all captains of steamboats or other vessels, coming to our port from non-slaveholding states, or elsewhere, be requested to exercise the utmost vigilance in detecting any emissaries of the abolition society, who may be on board the vessel, or who may be engaged through such channel in disseminating incendiary papers among our inhabitants, either white or black; and that the good people of this commonwealth be exhorted to give no encouragement or support to any line of steamboats or other vessels, where the captains thereof shall *knowingly* give facilities to the transportation of persons or papers of an incendiary character.

8th. *Resolved*, That the postmaster general be requested to use all the powers vested in him by law to prevent the transmission through the several post offices, and the delivery of all printed papers, suspected of a tendency to produce or encourage an insubordinate or insurrectionary spirit among the slaves of the south.

9th. *Resolved*, That we hold in great respect, and entertain a cordial and fraternal regard for the great body of our northern and eastern brethren; that we do confidently believe the indignant sentiments we have expressed towards the class of *deluded fanatics*, who are the advocates of immediate emancipation, will be reciprocated by the great mass of enlightened citizens of the non-slaveholding states.

10th. *Resolved*, That we respectfully submit the proceedings of this meeting to the consideration of our fellow citizens throughout the commonwealth, and ask their concurrence in the measures herein recommended; or to substitute others that to them may seem more advisable, or better adapted to their local situations. JOHN DOVE, *chairman*.

Philip Mayo, secretary.

The resolutions were unanimously adopted.

On motion of Dr. L. W. Chamberlayne, the following resolution was adopted, to come in between the 8th and 9th resolutions of the committee:

Resolved, unanimously, That the dissemination of writings of an incendiary character, on the subject of slavery, or their reception through the medium of the post office, or otherwise, with a knowledge of their contents, except for the purpose of averting the evils they are calculated to produce, is a practice highly reprehensible and improper.

On motion of R. G. Scott, esq.

Resolved, unanimously, That the committee of vigilance for the city of Richmond and county of Henrico, be appointed by the chairman of this meeting, and that it consist of ten, within the limits of each militia company district.

On motion of G. A. Myers, esq.

Resolved, unanimously, That the chairman of this meeting be requested to hand to the senator from this district, and to the delegates from the county of Henrico and city of Richmond, copies of the preamble and resolutions adopted this evening, with a request that they will use all due exertions to carry into effect the recommendations contained in the 2d and 3d resolutions.

Resolved, That the editors of newspapers throughout the commonwealth be requested to publish the above proceedings. The meeting then adjourned. JOHN DOVE, *chairman*.

G. W. Dixon, secretary.

CHARLESTON.

The citizens of Charleston, wide awake to the danger of allowing the circulation of incendiary publications in that state by mail, or otherwise, have, in town meeting, appointed a general committee of safety of twenty one citizens, headed by judge *Colcock* and general *Hayne*, and filled up with the most respectable names. The following is a part of the result of the deliberation and action of this committee:

PUBLIC NOTICE.

The public will doubtless be gratified to learn, that the committee of the citizens who met this day at 12 o'clock, have made an arrangement with the postmaster, *by which no seditious pamphlets shall be issued or forwarded from the post office in this city*, and that the committee of the citizens will make with that officer the necessary arrangements for effecting this object.—The following resolution was *unanimously adopted* by the committee of twenty-one. The character of the committee that have been nominated on this subject, gives full assurance that the proper measures will be adopted by them on this subject, and that they will be supported in their measures by all classes of our fellow citizens.

Resolved, That a committee be appointed to communicate to the citizens the arrangement made with the postmaster, that no seditious pamphlets shall leave his office until the civil tribunals of the city are informed upon the subject, and that they be authorised, in the name and behalf of the citizens of Charleston, to accompany the mail from the steamboat which is expected to arrive this night or to-morrow to the post office, and to make the necessary arrangements with the postmaster to prevent the distribution of the sedicious pamphlets which may at any time be received by the mail.

The committee consist of—Gen. *Hayne*, *John Robinson*, *Chs. Edmondston*, *H. A. Desausure*, *James Robertson*, *James Lynah*, *Edward R. Laurens*.

To the editor of the Mercury:

SIR: The public meeting on Monday terminated the service of the committee of 21. The city council sensibly alive to their own duty and to the safety and tranquillity of the community have cheerfully entered upon the duty assigned them by their fellow citizens. The public may feel assured that every necessary co-operation between the council and the postmaster will be continued. Mails arriving by steamboats will be conducted to the post office by a committee of council, consisting of the undersigned, and shall then be delivered to the hands of the postmaster. The assurances of that very efficient officer having already been given, that such measures shall be adopted as will prevent the circulation of incendiary tracts and newspapers through his office.

E. W. NORTH,
R. W. SEYMORE,
CHARLES GRAVES,
JOHN BRYAN,
GEO HENRY,
JOHN MAGRATH.

IMPORTANT PUBLIC MEETING.

We learn from the Charleston Courier of the 11th inst. that "one of the most imposing assemblage of citizens in respect of numbers, intelligence and respectability, that had ever been witnessed, met at the City Hall, to receive the report of the committee of *twenty one*, appointed by the meeting on the 8th inst. on the incendiary machinations, now in progress against the peace and welfare of the southern states, the clergy of all denominations, attended in a body, lending their sanction to the proceedings, and adding by their presence, to the impressive character of the scene. His honor the intendant resumed the chair and *William Patton*, esq. his post as secretary.

"The hon. *C. J. Colcock*, chairman of the committee of twenty-one, then rose, and after a few prefatory remarks, in the course of which he announced the fact that the clergy of the city had, at the instance of a committee of the South Carolina association, suspended certain schools under their charge which had created some dissatisfaction, until the pleasure of the legislature could be known on the subject, and also informed the meeting that the postmaster of the city had been engaged in free conference and cordial co-operation with the committee, submitted the subjoined preamble and resolutions, which will be found to combine moderation with energy, and to advise a course of measures, which commends itself to the approbation of every southern man, and will doubtless call forth the unanimous response of the entire south.

"We trust that the public press throughout the union will, in no one instance, fail to comply with the request to publish these proceedings, in order that the whole union may know the tone and the resolution of southern sentiment on this vital subject. The hope too is strongly indulged, that the people of the non-slaveholding states, animated as well by a spirit of patriotic fraternity, as a sense of constitutional obligation towards their southern brethern, will promptly adopt the necessary measures to punish any vile incendiaries, within their limits, who, not daring to appear in person among us, where the gallows and the stake await them, discharge their missiles of mischief in the security of distance, which should no longer be permitted to avail them.

"It is understood that the committee of *twenty-one* is now dissolved, and that the responsibility and duties which they so cheerfully assumed, and have so prudently and faithfully discharged, will henceforth devolve on the city council."

PREAMBLE.

The committee of twenty-one, to whom was referred the important subject on which the citizens of Charleston, were lately convened, beg leave to report—That they have had the matter referred to them under due deliberation, and recommend the adoption of the annexed resolutions. The committee have purposely abstained from any labored argument on the subject of slavery, not from any inability to sustain, on moral and scriptural grounds, its existence and toleration as now established in S. Carolina, but from a deep conviction of the fixed resolutions of the people of this state, to permit no discussion within her limits of RIGHTS, which she deems inherent and inseparable from the very existence of the state. Rights which existed before the union was formed, and which were guaranteed to her by the federal constitution, when as a sovereign state, she became a member of the confederacy. The committee, therefore, submit the following resolutions for the adoption of the citizens, without further comment.

1. *Resolved*, That we hold it to be an unquestionable truth, that the subject of slavery as it now exists in the slaveholding states of this union, is, in all its bearings, a DOMESTIC QUESTION, belonging exclusively to the citizens of these states; that the people of no other state have any right to interfere therewith, in any manner whatsoever—and that such interference is utterly inconsistent with the federal compact, and cannot be submitted to.

2. *Resolved*, That we regard with the utmost indignation and abhorrence, the proceedings of those INCENDIARIES in some of our sister states, who under the name of "Anti-slavery societies," and other specious appellations, are endeavoring to undermine our institutions, regardless of the fatal consequences which must inevitably result, from the prosecution of their nefarious schemes, which, if successful, could not fail to involve the southern states in ruin, and produce the utter destruction of that class of persons, for whose welfare they pretend to be so solicitous.

The statements recently put forth of the existence at this time, of 250 of such societies, in 13 states, and the weekly issue from a single press in the city of New York, of from 25 to 50,000 copies of the incendiary pamphlets and papers, with which our public mail has been lately burdened, and which are now spreading their deleterious influence throughout the southern states—admonish us of the absolute necessity of taking prompt and decisive measures, to avert the dire calamities which such proceedings are so well calculated to produce.

3. *Resolved*, That these proceedings have brought about a *crisis*, which makes an earnest, and we trust that it may prove an irresistible appeal to all such of our fellow-citizens in the non-slaveholding states, as may disapprove these societies and their measures, calling upon them by every consideration of duty and of patriotism, to *manifest that disapprobation*, not merely by the expression of their opinions, but by the most active, zealous and persevering efforts to put down these associations, and to suppress that fanatical spirit, which, in pursuing *an imaginary good*, is regardless of the fatal consequences which are inseparable even from its continued prosecution, among which, not the least to be lamented, would be THE CERTAIN DESTRUCTION OF THE UNION!

4. *Resolved*, That under our political system, where a number of sovereign states are united together by a written compact in a federal union, for special purposes only—each member of such an union has an unquestionable right to expect and require, (what is indeed the very basis of such a connexion), that no interference whatever, shall take place with her DOMESTIC POLICY, or PECULIAR INSTITUTIONS, either by the constituted authorities of the federal or other state governments, or by the people of other states, and it is the imperative duty of each state to prevent by suitable penalties and provisions, *their own citizens* from being guilty of any such interference with the domestic policy of any other state.

5. *Resolved*, That the post office establishment cannot consistently with the constitution of the United States, and the objects of such an institution, be converted into an instrument for the dissemination of incendiary publications, and that it is the duty of the federal government to provide that it shall not be so prostituted, which can easily be effected, by merely making it unlawful to transport by the public mail, through the limits of any state, any seditious papers, forbidden by the laws of such state, to be introduced or circulated therein, and by adopting the necessary regulations to effect the object.

6. *Resolved*, That in the event of no effectual measures being adopted either by the general or state governments, or by the people of the non-slaveholding states, for the suppression of the great and growing evil of which we complain, it will become the solemn duty of all those states having a common interest with us on this subject to adopt the most decisive and efficacious measure TO PROTECT THEMSELVES.

7. *Resolved*, That for the purpose of making such an earnest appeal to the people of the non-slaveholding states as may convince them of the true state of public feeling amongst us, it would in the opinion of this meeting be desirable to bring about a cordial co-operation among all the states having a common interest with us either through a CONVENTION, or in any other way, best calculated to embody public sentiment, so that THE TRUTH MAY BE MADE KNOWN, that however we may differ among ourselves on other points, we are on this subject UNITED AS ONE MAN IN THE FIXED AND UNALTERABLE DETERMINATION TO MAINTAIN OUR RIGHTS, AND DEFEND OUR PROPERTY AGAINST ALL ATTACKS—BE THE CONSEQUENCES WHAT THEY MAY.

8. *Resolved*, That we have no doubt of the right of each state to provide by law against the introduction of a *moral pestilence*, calculated to endanger its existence, and to give authority to their courts adequate to the suppression of the evil, and we therefore respectfully submit to the legislature of this state, the propriety of passing laws (should those now in force not be adequate to the object) *commensurate with the means now practised against us*, and especially giving authority to the judges by proper warrants, to seize and destroy, and requiring all persons to deliver up to be destroyed, all incendiary publications which may be brought into this state, calculated to excite domestic insurrection or to disturb the tranquillity, happiness and safety of the people.

9. *Resolved*, That a copy of these resolutions be transmitted by the chairman of this meeting to the governor of this state, with a request that the same may be laid before the legislature in order that they may take such measures, as to them may seem proper. That copies be also transmitted to our fellow citizens in each judicial district of this state, requesting their concurrence in the sentiments herein expressed. That the honorable the city council be requested to cause to be printed at the public expense, 5,000 copies of the foregoing resolutions, for general distribution, and that his honor the intendant, be requested officially to transmit to the intendant or mayor of each incorporated city or town in the United States, a copy thereof, and that a sufficient number of copies be furnished to the chairman of the committee, to be by him transmitted in our behalf to such persons in different portions of the union as may probably be disposed to concur with us in the sentiments herein expressed.

10. *Resolved*, That the intendant and wardens be earnestly requested to exert their utmost vigilance in detecting and bringing to punishment all persons who may be in any way engaged in furthering in this state, the dangerous schemes of the Anti-slavery society, or other evil disposed persons, and that, if necessary, they do call upon the citizens to aid them in the performance of this duty, and the citizens here present do pledge themselves collectively and individually to use their utmost efforts to aid and assist the constituted authorities in the performance of this important duty.

11. *Resolved*, That the city council be also requested to take the proper measures to secure the strict performance of the duty imposed by the law upon the harbor master, of keeping a correct list of all persons arriving and departing from this port; and that they also request the president and directors of the rail road company, to have correct lists of all persons arriving and departing by that conveyance, whether white, free colored or slaves, and that measures be taken to have these lists regularly examined to the extent, that incendiaries, and other evil disposed persons coming amongst us, or attempting to pass through this state, may be detected and exposed.

12. *Resolved*, That these proceedings be signed by the chairman and secretary, and published in all the papers of this state; and as it is desirable that the sentiments of the people of the southern states on this subject, should be generally known, we respectfully request that the public presses throughout the United States, will make their readers acquainted with these our proceedings—which we doubt not contain a faithful expression of the sentiments of these states, without distinction of parties.

C. J. COLCOCK, *chairman*.

EDW. R. LAURENS, *secretary*.

The resolutions were read a second time by the hon. *Robert Y. Hayne*, and on the question being put on each one separately, were *unanimously carried*. The question was then taken on the preamble and resolutions as a whole, and the same were *unanimously* adopted.

THE POSTMASTER AT NEW YORK.

To the editor of the Evening Star.

SIR: Having referred in your paper to my conduct in relation to a subject of interest to the community, some of the circumstances of which have been elsewhere misstated, and being desirous that it should in no respect be misunderstood, I have no disposition to withhold the views on which I have acted, which are at your disposal. Your obedient servant,

SAMUEL L. GOUVERNEUR.

New York, August 12, 1835.

Copy of a letter addressed to the president and directors of the American Anti slavery society, by S. L. Gouverneur.

GENTLEMEN: I have received a letter from the postmaster at Charleston, of which the enclosed is a copy. I have transmitted another to the postmaster general.

Entertaining full confidence that you will duly appreciate my sincere desire, to reconcile a just discharge of my official duties with all the delicate considerations which are involved in the case presented to me, I have respectfully to propose to you that the transmission of the papers referred to be suspended, until the views of the postmaster general shall have been received.

With great respect, &c. &c. &c.

(Signed) SAMUEL L. GOUVERNEUR.

Samuel L. Gouverneur, esq.

SIR: Your communication addressed to "the president and directors of the American Anti slavery society," has been handed me by Mr. Bates, and shall be laid before the executive committee. I am, respectfully, your obedient servant.

ARTHUR TAPPAN, *president A. A. S. society.*

New York, August 7, 1835.

Anti-slavery office, New York, 8th August, 1835.

Samuel L. Gouverneur, esq P. M. New York.

DEAR SIR: Your favor of yesterday, covering a letter from the postmaster of Charleston, in regard to the recent violation of the United States mail in that place, and proposing to us to suspend the transmission of our publications until the views of the postmaster general shall be received—has been laid before the executive committee of the American Anti slavery society, and I am instructed, very respectfully, to transmit to you the following reply, viz:

"*Resolved*, That while we are desirous to relieve public officers from any unnecessary difficulties and responsibilities, we cannot consent to surrender any of the rights or privileges, which we possess in common with our fellow citizens, in regard to the use of the United States mail." With much respect, your obedient servant, E. WRIGHT, jr.

sec. dom. cor. American Anti slavery society.

To the president and directors of the American Anti-slavery society.

GENTLEMEN: I have the honor to acknowledge the receipt of your letter of yesterday, covering a copy of a resolution of certain persons described as "the executive committee of the American Anti slavery society."

Early on the morning of the 7th inst. I addressed a communication to you, enclosing a copy of one which I received from the postmaster at Charleston. Referring you to the peculiarly delicate considerations which were involved in the case he presented, I respectfully proposed to you to suspend the transmission of your papers until the views of the postmaster general, before whom the whole subject had been laid, could be received. This communication having been delivered to you by Mr.

Bates, the assistant postmaster, I received a verbal assurance that you would cheerfully comply with the proposition I had made. In full confidence that this disposition would not be changed, I gave the necessary instructions to separate the papers referred to, in making up the mail for that portion of the country, and retain them at this office. The resolution to which I have referred, gave me the first intimation of the change of your views; and was received at this office about the time of closing the mail. It was, therefore, too late in fact, to cause a different disposition to be made of these papers. They were accordingly retained here in pursuance of the original understanding with you, nor will they be transmitted by mail until the instructions of the postmaster general shall have been received.

Having thus placed you in possession of the facts, I beg leave to refer more distinctly to the resolution of your committee. My views have been much mistaken, if it is intended to imply that I required relief at your hands from "any difficulty or responsibility," whatever, as "a public officer." Had you declined, in the first instance, the proposition I had offered, my determination would have been promptly announced to you. Placed as I was in a peculiarly delicate position; appealed to by an officer of the same department at a distance, to lend my aid in preserving the public peace—securing the safe transmission of the important contents of that valuable branch of the mail department—and arresting a course of excitement which could not fail to lead to the most disastrous results, I should not have hesitated to adopt that course, which, in my judgment, the highest obligations imposed, had it even demanded in some degree a temporary "surrender of the rights and privileges" you claim to possess. While manifesting so openly your benevolence to the colored people, I thought I had a right to claim some portion of your sympathies for the white population of that section of country—the peculiar situation of which Mr. Huger had so fully described. I would respectfully ask, gentlemen, what injury could result from a momentary suspension of your efforts, compared with that which might have occurred, had they been pushed at all hazards?

I entertain for you, and all your rights, every sentiment of respect which is due, and I deeply regret that a departure from the original understanding, which promised to prevent all excitement and collision, has compelled me to express myself so fully. I have reflected deeply on the subject. The laws which secure to you the rights you claim, also impose the penalties on those who infringe them. I shall assume the responsibility in the case you have made with me, and to the law and my superiors will hold myself accountable. With great respect, &c. &c.

SAMUEL L. GOUVERNEUR.

New York, August 9, 1835.

[The letter of the Charleston postmaster being a private letter, has not been sent to us for publication.]

THE INCENDIARIES.

From the Richmond Whig, August 8.

The postmaster at Richmond has obligingly furnished us with a copy of a letter from the postmaster general to the postmaster at Charleston, which is an interesting paper, to lay before the public.

Post office department, 5th August, 1835.

SIR: My views in relation to the subject of your letter of the 3d inst. may be learnt from the enclosed copy of letter to the postmaster at Charleston, S. C. dated 4th instant. Very respectfully, your obedient servant, AMOS KENDALL.

Edm'd Anderson, assistant postmaster, Richmond Va.

—

Post office department, August 4th, 1835.

P. M. Charleston, S. C.

SIR: In your letter of the 29th ult. just received, you inform me that by the steamboat mail from New York your office had been filled with pamphlets and tracts upon slavery; that the public mind was highly excited upon the subject; that you doubted the safety of the mail itself out of your possession; that you had determined, as the wisest course, to detain these papers; and you now ask instructions from the department.

Upon a careful examination of the law, I am satisfied that the postmaster general has no legal authority to exclude newspapers from the mail, nor prohibit their carriage or delivery on account of their character or tendency, real or supposed. Probably, it was not thought safe to confer on the head of an executive department a power over the press, which might be perverted and abused.

But I am not prepared to direct you to forward or deliver the papers of which you speak. The post office department was created to serve the people of *each* and *all* of the *United States*, and not to be used as the instrument of their *destruction*. None of the papers detained have been forwarded to me, and I cannot judge for myself of their character and tendency; but you inform me, that they are, in character, "the most inflammatory and incendiary—and insurrectionary in the highest degree."

By no act, or direction of mine, official or private, could I be induced to aid, knowingly, in giving circulation to papers of this description, directly or indirectly. We owe an obligation to the laws, but a higher one to the communities in which we live, and if the *former* be perverted to destroy the *latter*, it is patriotism to disregard them. Entertaining these views, I cannot sanction, and will not condemn the step you have taken.

Your justification must be looked for in the character of the papers detained, and the circumstances by which you are surrounded.

[This view appears to us such as the postmaster general was obliged to take. He certainly has no power to exclude newspapers from transportation by the mail, and, having no such power, his conclusions upon the subject are as liberal as could have been expected. The law is defective, and to supply its omission, until congress meets, the people and postmasters must act upon their own responsibility. All men will acknowledge that the circulation of these incendiary tracts is out of the question. *Whig.*]

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On which the "New York Evening Post" says—

"In giving place to the above letter, we cannot refrain from accompanying it with an expression of our surprise and regret that Mr. Kendall, in an official communication, should have expressed such sentiments as this extraordinary letter contains. If, according to his ideas of the duties of patriotism, every postmaster may constitute himself a judge of the laws, and suspend their operation whenever, in his supreme discretion, it shall seem proper, we trust Mr. Kendall, *may be permitted to retire from a post* where such opinions have extensive influence, and enjoy his notions of patriotism in a *private station*. A pretty thing it is, to be sure, when the head officer of the post office establishment of the U. States, and a member, *ex officio*, of the administration of the general government, while he *confesses* in one breath that he has no legal power to prevent the carriage or delivery of any newspaper, whatever be the nature of its contents, declares in the very next, that by no act of his will he aid, directly or indirectly, in circulating publications of an incendiary and inflammatory character. Who gives him a right to judge of what is incendiary and inflammatory? Was there any reservation of that sort in his oath of office.

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From the *Boston Atlas*—

We owe an obligation to the laws, but a higher one to the communities in which we live, and if the *former* be perverted to destroy the *latter*, IT IS PATRIOTISM TO DISREGARD THEM. Entertaining these views, I cannot sanction and will not condemn the step you have taken.

Your justification must be looked for in the character of the papers detained, and the circumstances by which you are surrounded. [*Kendall's letter to the Charleston postmaster.*

* * * * * This is the sentiment which induced him [gen. J.] to hazard the despotic doctrines of the protest—to denounce the senate and the judiciary—co-ordinate branches of the government—and to patronize the repeated acts of violence and outrage that have marked the course of his administration. It is the sentiment which justifies the burning of the convent—the Mississippi outrages—the attacks of the New York mobs on the ballot box—the recent Baltimore riots—and any and every act of madness and bloodshed which prepare society for a dissolution into its original elements—and man for a return to what is miscalled the state of nature.

What *higher duty* can we owe to the community in which we live, than to obey the laws which that community has framed? And who but that community is to decide whether or not these laws are beneficial or otherwise? Is an individual, or a class of individuals, to say—we deem such a law to be unjust, and it is *patriotism* in us to disregard it? We deem it to be *injurious*, and we shall therefore be patriots in resisting it? Carry this rule into practice, and will you have a shadow of law or authority left in the country?

There was but one course for the postmaster general to have pursued; and that is to have directed his subordinate officer to follow the law as it was laid down, and leave the result to the law. Instead of this, he tells him that it is *patriotism, sometimes, to disregard the law.*

—

The New York Commercial Advertiser holds this language—"There is no power in New England that can infringe the liberty of the press, or establish a censorship of it. If the madmen who are scattering fire-brands, arrows and death, cannot be persuaded, or "rebuked" to silence, we see no other alternative, than for the slaveholding states to protect themselves, by establishing all the odious machinery of passports and examinations, to which travellers in Europe are subjected. *How* long our union will continue, in this agitated state of feeling, we cannot predict; but we seriously believe that the sooner it be dissolved, the sooner will the hopes and purposes of the leading abolitionists be accomplished."

[It is truly a fearful case—and the assumption of a dangerous authority that may be plead in *other* instances. It will be easy to make a pretext, a *precedent* being established. This is another of the evils that the fanatics will, perchance, bring about. But what else can be done? Hard is the the necessity and awful may be the results! Those who know what "public opinion" is, in different places, and at different times, will not rely upon it. It is the creation of a temporary *feeling*, and as uncertain as the wind and waves. It is admitted, that the recommendation is for an exertion of power *beyond the law*—that it may be *patriotism to disregard the law*. Does not every "mob" set out on this principle? We accord in the conclusions of the "Atlas." In the extremity of the case, the postmaster at Charleston should only have been told to act as his own discretion, under a sense of his own responsibility, would justify.]

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

According to promise, we now insert the speech of col. *Benton*, delivered at a public dinner given to him at St. Louis; and we also copy (as a close to that discussion), the speech of Mr. *Clay*, in the senate, on "executive patronage"—which only appeared in the "National Intelligencer of the 19th inst.

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We had the pleasure, (and truly it was a great pleasure), to make one of a party of about *eight hundred* that attended on Tuesday last, the 25th inst. to witness the ceremony of formally opening the *Baltimore and Washington rail road.* It was a grand and glorious sight! The procession consisted of seventeen cars, loaded with about fifty happy persons each, seated entirely at their ease—which were drawn by four locomotive engines, the *George Washington, John Adams, Thomas Jefferson* and *James Madison;* and, arriving at Bladensburg, there met another train of cars from Washington, also drawn by a locomotive, and filled with public functionaries and other invited guests, where congratulations on the result of the labors of the rail road company were passed between the mayor of Washington and the president of the company: the whole party then proceeded to Washington, and soon arrived at the depot at the foot of *Capitol Hill*, where a vast crowd of people was assembled, and rent the air with their acclamations *at this victory of science over time and space.* We then landed, and forming a procession, on foot, preceded by a band of music, repaired to the collations that had been provided at *Brown's* and *Gadsby's* hotels, where the best of things had been obtained, and were abundantly and *elegantly* served up—after which many parties of ladies and gentlemen paid their respects to the president of the United States, or visited the capitol, the library of congress, the patent office, &c. all which were politely thrown open to the public, and attended with all possible courtesy and consideration. At 20 minutes before 5 o'clock, we started from Washington, and, in 2 hours and 20 minutes, were at the depot in *Charles* street, including the time expended by taking in water, and in changing the mode of conveyance to beautiful grey horses, at Mount Clare—the locomotives not being allowed to enter the built parts of the city.

It is thus ascertained that from *Baltimore* to *Washington*, 40 miles, is distant *two hours!* The locomotives, *(built by the company)*, have equal, if not greater power and durability than any in the world. The capacity to transport as many persons as can be desired, will be easily gathered from the facts that we have already stated—at least one thousand, ladies and gentlemen, by the aid of *five* locomotives, entered Washington.

As we expect soon to give some highly interesting *statistics* of the Baltimore and Ohio rail road company, including its lateral branch to Washington, we shall defer a present particular notice of other things that happened; and simply remark that the *Thomas* viaduct over the *Patapsco* and its ravine, (built of granite, 65 feet above the level of the river, and one-eighth of a mile in length), is the most beautiful triumph of art that we ever saw—and there are three other bridges, or viaducts, which, *but for this*, would be considered great curiosities.

Not the slightest accident happened to mar the pleasures of the day. It was one of unalloyed gratification. The ladies presented a fair specimen of the "beauty and fashion" of Baltimore; and there were not less than three hundred of them.

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☞ *The order of Jesuits has been abolished in Spain*—as it once was in all *Europe;* a certain position in the then wild lands of *Russia* excepted! Their *temporalities* are forfeited for the good of the state. See the decree.

They appear to have been exceedingly active in favor of Don *Carlos*—whose case in Spain is becoming desperate. They require the government of a strong arm. The pope, himself, at one time, could not do otherwise than expel them, and suppress their combinations.

The new emperor of *Austria* seems to have shaken off the dominion of *Russia*, and will act for himself—having seceded from the doctrines of the *holy alliance;* and will discontinue the subsidy that had been paid to Don *Carlos* by his father. So says the London Morning Chronicle.

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Immense meetings of the people have been held, or will be holden in the east and north, as well as in the west and south, concerning the doings of the anti-slavery folks—two or three of which we publish by way of specimens of the rest. The effect of these things will be the constitution of a mighty moral, as well as physical force, to act against the fanatics, and the slaves, as conservators of the public peace.

We have a large mass of matter on hand of a *character** like the following—

From the Charleston Patriot of August 21.

"A man calling himself R. W. Carroll, but whose real name, we understand, is Wood, and who has carried on the business of a hair dresser for some years in this city, but who has rendered himself for a long period obnoxious to the citizens, from his connexion with slaves, as a receiver of stolen goods, particularly the article of cotton, was this morning compelled to undergo the operation of Lynch's law. Carroll had full warning to depart from the city, as this community was determined no longer to submit to his presence. He disregarded this warning and appeared to brave his fate. He was accordingly taken from his residence this morning between 8 and 9 o'clock, and about 20 lashes inflicted on him. He was then stripped from his waist upwards, *tarred*, and a *coat* of COTTON, not FEATHERS, bestowed on him, from the crown of his head to the soles of his feet, so that he presented a rather ludicrous aspect, as nothing but his face was visible, peering out from a mass of white, and thus rendering his mode of punishment, *emblematic* of the nature of his offence, as an extensive contraband dealer in the principal staple of the south. He was then marched in procession through a few of our principal streets, and lodged in the jail, whence he will of course have to depart the city.

"The whole proceeding was conducted with the utmost quietness and order, several respectable citizens leading the countenance of their presence to the measure, while no other individual was in any way molested. The impunity with which this man has, for a length of time, carried on his operations, depredating through his concealed agents extensively on the property of the citizens, and the cunning with which he laid his plans of plunder and eluded the proof of his villainy, rendered it absolutely necessary that some measure should be adopted to rid this community of his presence. Such was the feeling of abhorrence which the conduct of Carroll had inspired, that not a sympathizing voice was raised in his favor.

"To form some idea of Carroll's depredations it is said, on good authority, that he has shipped as many as seventy bales of cotton in a season, by the line ships going to New York, made up of spoils, which were obtained by a corruption of our servants, which it would be impossible any longer to permit."

But what is this more than the proceedings of a *mob*, however rightfully the man might have been punished? He was deposited too, in the *jail* of the city!

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The fanatics are, certainly, engaged in a great and simultaneous effort to lead the blacks into excesses that can end only in their more bitter persecution—or swift destruction. It might have been possible to have brought about a partial rising of them, in some of the states—but the horrors that would have attended their course must have aroused in *every* white man a disposition to annihilate them, and sweep them from the face of the earth.

*Nor are they confined to any particular subject or place, or manner, as for instance—A *town meeting* was held in Canaan, in the county of Grafton, New Hampshire, on the 31st ult. at which a vote passed for the removal of the Noyes academy, at which black and white persons are promiscuously received. A committee was appointed to carry the vote into execution. On Monday of last week, the committee with other inhabitants of the town and neighboring towns, to the number of about 300, assembled, with from 90 to 100 yoke of oxen, and removed the academy to a distance of about half a mile, and left it in the midst of a swamp.

The poor blacks, perhaps, could not have *calculated* this—which must have been evident to the false men who urged them forward, cowardly and feloniously avoiding, for themselves, a participation in the dangerous proceedings they invited. There is a degree of *cruelty* in this matter, on the part of the pretended friends of the blacks, at which the mind of every feeling man revolts—for, *fail it must;* and *then* the severity of the punishment that would follow it.

Among the expedients resorted to is the sending of large packages to different persons, filled with incendiary publications, some of them printed on muslin by way of handkerchiefs, &c. A case so filled was lately received at Philadelphia, without order or advice, was recently discovered—and, being immediately given up by the consignee, was taken to the middle of the Delaware, and totally destroyed. There are good reasons to believe that the bloody-minded fanatics are expending thousands of dollars in this way; and doing much, indeed, to rivet the chains and lessen the comforts of slaves, by depriving them of the *confidence* of their owners, from which flows so many blessings upon those who have lived happily together. And yet further—the doctrine of immediate abolition has a direct reaction, and will forbid emancipation, in numerous cases.

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The Ohio boundary troubles, we regret to perceive, still wear an angry aspect. On the 7th instant, a general order was issued by adjutant general S. C. Andrews, by direction of the governor of Ohio, as commander-in-chief, to the several generals of division of the militia, to ascertain "what number of *volunteer* cavalry and mounted riflemen can be raised and equipped within their several commands, that will be willing to march at a moment's warning to defend the rights and honor of the state, to sustain the civil authority in the discharge of their duties, and to protect the citizens within their constitutional limits of the state."

As a reason for this proceeding the general order sets out—"As the aspect of affairs on our northern frontier appears daily more threatening, from the violent and unjustifiable course pursued by the authorities of the territory of Michigan, and their refusal to comply with the arrangement entered into at Washington, on the 3d of July, with the president of the United States—it is supposed that an armed force will, in all probability, be necessary to restrain their outrages, and protect our commissioners appointed for running and re-marking our northern boundary line, as well as to sustain our civil authority, and protect our citizens within the constitutional boundaries of the state."

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The Dutch frigate De Mars, capt. Arriem, of 44 guns and 340 men, and Dutch brig of war Sneeneid, captain Ferguson, of 14 guns and 74 men, have arrived at New York. In passing up the narrows they fired a salute, which was returned from Fort Hamilton. Passenger in the frigate, his R. H. prince Henry, son of his R. H. the prince of Orange. They are from Curracoa.

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There has been yet another great fire at New York, commencing at 156 Water street, and several lives lost, by persons sleeping in the upper stories. The loss is estimated at 100,000 dollars. *Insured.*

—

The *Paterson* Intelligencer states—

"After six weeks of idleness, arising from an unhappy disagreement between the mill owners and a portion of the mill hands, relative to the time of working, our town has again resumed its wonted cheerfulness and is now a scene of industry and contentment. Most, if not all the factories have started, and are in partial operation—but it will probably be some little time before those of the hands who left town to seek employment, will return. The *weekly* wages paid to cotton mill hands in this town, are estimated at upwards of 4,000 dollars. There has consequently in this unfortunate strike been an entire loss of 24,000 dollars, which would otherwise have been directly paid to the hands, and thence passed through all the advantageous currents of trade, shedding its comforts at every step.

"The time which the hands now make per week, is 69 hours, or 11½ per day."

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At the Episcopal convention in session at Philadelphia, the following prelates were present:

Right rev. bishops White and Onderdonk of Pennsylvania, Moore of Virginia, Brownell of Connecticut, Onderdonk of New York, Stone of Maryland, Chase of Illinois, Mellvaine of Ohio, Doane of New Jersey, Hopkins of Vermont, Otey of Tennessee, and Smith of Kentucky. The following bishops are absent—Meade of Virginia, Bowen of North Carolina, Griswold of Massachusetts and Ives of South Carolina. The latter gentleman is absent in Europe, on account of health.

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The commissioners appointed under the British act for the abolition of slavery have made an inter-colonial apportionment of the twenty millions placed at their disposal. From their published statement it appears that the number of slaves in the British colonial possessions, amounts to 780,993, of the relative value of £45,281,758 15*s.* 10½*d.* The owners of the slaves will therefore receive about four-ninths of their relative value. The proportion for the island of Jamaica is £6,161,927 5*s.* 10½*d.* and the relative value of the slaves is £13,951,139 2*s.* 3*d.*

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So great have been the recent importations into the port of New York, that the clerks and officers of the custom house are said to be absolutely overwhelmed with their duties. It is stated that the custom house is constantly filled with merchants and others, who have to wait for hours at the desks before they can be served.

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The New York Journal of Commerce of Saturday evening says—"Our importing interest has been thrown into some excitement by the seizure of a considerable quantity of goods belonging to one of our principal importing houses, on the allegation that, though liable to a heavy duty, they had been entered by the name of goods which are free: such as calicoes by the name of merino cloths."

The same paper of a subsequent date, adds—"We are informed by a member of the house, (by whom the goods were imported), that the goods in question are seven packages, and that the information of their having been wrongly entered was given at the custom house by himself after discovering the real character of the goods, accompanied with a request for liberty to make a new entry, which was refused, at least for the present, and the goods seized."

The New York *Transcript* states that a wealthy merchant of that city has been detected in smuggling lead to a very large extent. To avoid paying the duties imposed by government on the importation of that article, he adopted the singular expedient of receiving cargoes of common wines from Europe, contained in casks made of lead, exceeding in thickness more than two inches. The matter is to undergo a judicial investigation.

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The *Constitution* frigate, com. *Elliot*, sailed for the Mediterranean last week.

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The rev. Calvin Cotton, in his work now in the press at New York, entitled "Four Years in Great Britain," estimates the ecclesiastical expenses all over Christianity at 20,000,000 of pounds!—England and Wales pay nearly half.

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A cotton-wood tree, ninety-four feet long and four feet in diameter, recently fell across a steamboat, on the *Mississippi*, (which was "hugging" the shore, to avoid a current), by which two persons were killed and several wounded. It broke through the boiler deck, under which they were sleeping. This, we believe, is a new incident in the dangers of the navigation of the Mississippi.

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The three story brick house and lot, corner of Pine street and Broadway, New York—the lot thirty feet on Broadway, and one hundred and five feet deep, was sold at the Merchant's Exchange, by the Messrs. Bleekers, for $46,500.

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During the last week, seven or eight persons died at Bel-Air, Maryland, in consequence of eating *crabs.* They died almost instantaneously—casting a general gloom over the village. We are told that the crabs, (probably stale), were assisted in their cholera-like work by *water melons!* The village was, otherwise, healthy.

It is stated that the "*foreign influence*" in New York, is 40,000 votes—of which 10,000 are in the city.

The late authorities of *Venezuela*, sent to St. Thomas, have been recalled—Paez has restored constitutional order. It is pleasant to find a *general* employed in the works of peace.

A Mr. Amasa Stone, of Rhode Island, has made an important improvement in the power loom, and is now in Manchester, England, with every prospect of making his fortune by the invention.

The "Massachusetts Eagle," printed at Lenox, has the following paragraph and remarks:

Lathrop's battle. A meeting was held in Deerfield on the 20th inst. to make arrangements for the celebration of the anniversary of Lathrop's battle, commonly called the bloody brook massacre, in which a large body of men from Essex county were cut off by Indians, supposed to be led by king Philip, in person. It was resolved to celebrate it by laying the corner stone of a monument to be erected on the battle field, and by the delivery of a public address.

[*This is as it should be.* It is due to the *past*, the *present* and to the *future*, to erect monuments to commemorate the mighty acts of our pilgrim and revolutionary fathers. How happens it that our brethren of the metropolis have never thought of erecting some memorial on *the spot* where, the first overt act of the the revolution was done? It may be doubted, if there are many of the inhabitants under the age of fifty, who knew where the wharf is situated, formerly called "*Griffin's;*" and a still less number, who can point to that side of the wharf at which the "*tea ships*" lay. In connexion with this, the portrait of *Samuel Adams*, should be in Faneuil Hall, at the side of that of *John Hancock*.]

At Lockport, New York, while boring for water a few days since, at the Eagle tavern, they struck a vein of inflammable vapor or gas, at the depth of about 70 feet, with which it is now the intention to light the whole house.

The following will shew what our country may become, when the *spare-labor* of our women and children shall be devoted to its cultivation:

The quantity of raw silk manufactured in Europe is almost incredible. In France, though large quantities are produced at home, yet they annually import raw silk to the amount of 30,000,000 of francs, equal to $5,400,000. This is supposed to be about one-third of the amount manufactured. Though the climate of England does not admit of the growing of silk, and they are dependent on other countries for a supply, yet the amount manufactured is astonishing. A late authentic work on the silk trade, states there were imported from 1821 to 1828, 24,157,568 lbs. of raw silk, at a cost of $120,787,568. Of this great importation, $59,881,283 was from Italy. With such a foreign market as England alone, in addition to a home consumption of $20,000,000 annually, need the American culturist fear overdoing?

It is calculated by suitably informed persons, that no less than 14,000,000,000 silkworms die every year, victims to the production of the amount of silk which is consumed for one year in England alone.

Several rich specimens of gold ore, found in Goochland and Fluvana counties, have been recently exhibited to the editor of the Richmond Compiler. The results of operations in the mines in those counties show an average yield, in one case, of $3 15 to the bushel of pulverized ore, and in another of $3 to $5 per bushel.

The cholera had nearly ceased at Russellville, Ky. after carrying off more than one hundred of the people. But has broken out with great violence, at Versailles, causing twenty-one deaths in 24 hours. Medical aid has been sent. These are awful instances of the malignity of the disease, the population of the places being considered.

A letter from Toulon, France, dated July 6, says—

I told you some days ago, that the cholera afflicted this city in a considerable degree. Alas! that was nothing, or next to nothing. But since the day before yesterday, the violence of this dreadful scourge has been beyond all expression, and universal consternation prevails. Our streets are deserted, our shops closed, and I believe I do not exaggerate when I say, that we have now not above 10,000 inhabitants in Toulon, the usual population of which is 35,000.

Trade of New Orleans. The Bulletin of the 12th instant, presents the following estimate or calculation of the value of a few leading items embraced in the commerce of New Orleans, for the past year:

Cotton,	37,000,000	
Sugar and molasses	9,000,000	
Tobacco,	3,250,000	
Lard, pork and bacon,	3,500,000	
Flour and corn,	1,750,000	
Lead,	1,000,000	
Bagging and rope,	1,300,000	
Whiskey,	590,000	
		57,300,000
Other articles received from the interior probably,		12,700,000
		$70,000,000

It was supposed by the estimate that the trade coastwise from abroad, including the goods that pass through the city, would amount to an equal sum.

A *Tallahassee* paper has the following:

In *East Florida*, notwithstanding the cultivation of the cane continues less unsuccessfully, and a period may arrive of more propitious seasons, better experience, more capital and more encouraging prices abroad, which may cause the general cultivation to be resumed.

In the meantime, in justice to the soil, I must observe, that 16 stalks have been produced from a single joint of cane, and another 14, from sandy land; average number of 10 joints in 10 stalks. Ten of these weighed 50¼ pounds. 2,000 lbs. is a common quantity of sugar from one acre. One planter made 1,800 lbs. using 8 joints only, and leaving 4 for seed. The cane was planted 4½ feet apart. If it had been at 3 feet only, and with an iron mill, he supposed he would make 4,000 lbs. to the acre. Another, with 40 hands, made 50 hhds. of sugar, 80 bbls. molasses, 6,000 bushels corn, 40 bales cotton, 600 bushels rice, besides sundry improvements, and clearing 130 acres. One hand can easily manage four acres of cane, with a little cotton. I could multiply examples of this kind, were it not for fear of fatigueing you. I close, therefore, by remarking, that a friend of mine redeems the loss before mentioned of cutting down the cane prematurely, by burying or covering it carefully, by which operation the cane recovers in part, and gives a produce of double the quantity.

Remains of the *mammoth* are frequently met with in the United States, and must once have been numerous.

We learn that a few days ago the men engaged on the Sandy and Beaver canal, discovered some of the remains of the wonderful mammoth that appears to be no longer an animal of life. They consist of a tusk 5 feet 2 inches long, weighing 32 pounds—one end of which had the appearance of having been broken off—a grinder, weighing between 8 and 9 pounds, and measuring ten inches in length. A joint of the spine was also found. The teeth were found about two rods distant from each other, and the joint of the spine a considerable distance from the teeth.

It is calculated that the number of lives lost in Egypt by the present visitation of the plague, is not less than 200,000.

Extract from a letter, dated Halifax, 26th July.

"Large quantities of flour have been imported into this place from the Canadas this season; already there have arrived upwards of 12,000 barrels. Sales have been made for good fine at $6 at 90 days. This will prevent the American flour, now in bond, from coming into the market for consumption. Business of all descriptions is unusually dull, and the inhabitants leaving every day for the United States, where it appears they get immediate employment. *Not a single vessel leaves but gets as many passengers as they are allowed to take.*

A southern postmaster writes to a friend in this city as follows: "Yesterday, while examining the mail in search of 'incendiaries' I discovered a letter written on a beautiful sheet of pink paper. I broke it open, and lo, and behold, it was a love letter from our old friend Miss —— to young —— of this village. It would make you laugh to read it." Only hear the impudent scoundrel. He not only assumes the responsibility of searching the United States mail, but would make public the contents of a private love letter. Shade of Washington! Where are our liberties. [*Boston Atlas.*

VERY NEAR AN ACCIDENT. We understand that on Thursday evening, as the Providence cars were on their way from

Providence with the passengers from the Lexington, when in the farther part of Mansfield, they run into a drove of cattle, and soon found that their cow-catcher, which they have wisely placed on their night engine, had gathered together two of the herd, and was proceeding with them at a rapid rate, without any damage to the cars, or the knowledge of the passengers, till the engineer saw his new freight, and stopped to discharge. The cow-catcher is a lattice work platform constructed in front of the locomotive, so as to take upon it any animal with which it may come in contact. An excellent contrivance to avoid accidents. [*Bost. Centinel.*

JACK, A NEGRO MAN, vs. MARY MARTIN. We copy from the Journal of Commerce, with a few slight alterations, what we find in that paper of this morning, concerning this case.

The court of errors opened on Saturday in the common council room of the City Hall, and proceeded at once to deliver their opinion in the case of *Jack, a negro, plaintiff in error, vs. Mary Martin, defendant in error*, one of considerable moment, and of peculiar interest at the present time.

It is perhaps known that both the superior court of this city and the supreme court of the state have in this case decided that the congressional provision for the reception of fugitive slaves is paramount to the state law on the same subject, and that the person arrested cannot have the statute remedy of habeas corpus, or the common law writ of *homine replegiando*, by which latter process this action was commenced.

Chancellor Walworth delivered his opinion on Saturday, going at length into the case, asserting positively the contrary of the opinion pronounced by the two inferior courts on the constitutional question, and expressing himself distinctly that in every case of arrest the person arrested has a right to have the question of *slave or not* tried by a jury. Though the decision of the court below was affirmed on minor points, therefore, this great principle, affecting the two great interests, slavery and state rights, is to be considered unsettled.

Messrs. Sedgewick and Field, for the plaintiff in error.

O'Connor, for the defendant in error.

The case of the slave Jack, was again brought before the court of errors yesterday, and the question discussed whether the claimant of the slave should be allowed damages for the loss of his services whilst the slave was detained under the writ of error. In relation to this the following propositions were made: First, that the claimant should be paid the actual amount of his losses on account of the slave's detention. This proposition was negatived, and it was then moved that the claimant should be allowed six cents. This was also negatived, and a proposal was made to give the claimant $60, which was also negatived. Mr. Stower then proposed to give him $20, as the supposed interest on the costs awarded against the slave. This was agreed to by the court. The slave has been withheld from the owner during the pendency of the suit in the three courts, two years, of which about twelve months on the writ of error.

ANTI-SLAVERY! Last Lord's day evening, Dr. Skinner, the newly appointed governor of Liberia, gave another address at the Baptist meeting house in Brooklyn, New York, and at the close, a few gentlemen of various denominations tarried, and made up the sum of $250, in order that the only remaining slave depot within the territorial limits of the colony might be broken up, by purchasing the soil from the Bassa tribe, of the place called "Little Bassa," about twenty five miles from Bassa Cove; and when purchased by the governor, it is to be called Brooklyn. Dr. Skinner says, that when this is done, the slave trader will pack up and be off, as one did lately at Port Cresson, when that was obtained.

This is the kind of anti-slavery that we like; it goes directly to the root of the evil, and is not a zeal that is all expended in ink and words, and it is such as certain folks called colonizationists are somewhat familiar with. [*American Baptist.*

FOREIGN ARTICLES.

By an arrival at New York, we have extracts from London papers of the 23d July.

The great topic of interest in the London papers is the debate on the Irish church bill. Sir Robert Peel made his important motion, as announced early in the month, for instructions to the committee to divide the bill, on the 22d, and supported it by a speech of great effort. The proceedings were watched with great interest, and there can be no doubt that the question was, (or will be), made a trial of strength between the two parties.

The house of commons had voted to admit the ladies to hear the debate. Hitherto they have only been able to enjoy that pleasure by getting to the top of the house and listening through the ventilator, in a most inconvenient situation.

The Canada commissioners were to sail from Portsmouth on the 21st of July, for Quebec.

The receiver general of Upper Canada, now in London, has negotiated two loans on the part of the government of that province, each for £200,000—one with Messrs. Baring, Brothers & Co. the interest 5 per cent. payable half yearly in London, and the capital to be repaid in London in twenty years. The whole amount, £400,000, has been raised for the purpose of constructing canals, and to improve and extend the navigation of the St. Lawrence, as well as the great lakes. The revenue of Upper Canada, as appears by official documents, which in 1820 was about £30,000 per annum, amounted last year to £125,000, while the expenditure, including the charge on the public debt, (£200,000 sterling in English and £180,000 currency in Canada), schools, roads, &c. is about £59,000, showing consequently a surplus revenue of £66,000 per annum, applicable also to internal improvements.

[The improvement of the navigation of the river St. Lawrence, is rapidly advancing. We recently had an opportunity of examining the works in the neighborhood of Cornwall. The canal around the rapids is nine feet deep, one hundred feet wide, at the bottom, and two hundred at the surface. It is under the general superintendence of judge Wright, of this city.] [*N. Y. Commercial.*

The roof of a tunnel dug near Watford for the London and Birmingham railway, fell in on the 16th July, and buried ten men beneath, all of whom are supposed to have been killed instantly.

It is stated that the American squadron left Naples previous to the 30th of June, with 80,000 ducats. The sum is the annual instalment of the indemnity which, conformably to the last convention, the crown of Naples has to pay to the United States, for the confiscation of merchandize by Murat, according to the decrees of Berlin and Milan.

American stocks, July 20. New York, 1837, 98; do. 1845, 111½ 12½; Pennsylvania, 1860, 103½; Ohio, 6's, 1850, 113, 14; Mississippi, 1841, '51, 110; Alabama, 1863, 95½, 96; United States bank, 1836, 23; Louisiana state, 1879, 26½; bank of Louisiana, 1870, 27½; New Orleans C. & B. Co. 23; New York Life and Trust, 96½, 97.

Melancholy accounts continue to be given of the suffering of the poor in various counties, and particularly in Mayo, (Ireland). More than 7,000 persons in that county are said to be destitute even of the meanest clothing, and upwards of 8,000 are described as sleeping on the bare ground, or with no better beds than heath and rushes; and all this in addition to suffering the pangs of hunger.

The Dublin Evening Post gives long and alarming accounts of disturbances in Armagh, Belfast, Enniskillen and various places, occasioned by Orange processions. The earl of Mulgrave had taken prompt and decided measures to prevent and suppress the outrages.

A phenomenon has appeared in London in the shape of an unstamped newspaper, notwithstanding the severity of the prohibitions in the stamp act. Its price is 2½d. whilst the cost of the ordinary stamped papers is 7d. Two numbers had appeared and no measures had been taken to suppress it. Lord Brougham is said to be an active instigator of its publication.

Accounts had been received at Paris of a severe check sustained by the French near Algiers, on the 27th of June, from an Arab chief called Abdel Kaber. The loss in killed was 500, and the routed Frenchmen were not able to bring off their baggage or even their wounded; and it was with difficulty that general Trezel, with the remains of his forces, made his way back to Oran. The Arabs were fifteen thousand in number. Marshal Clausel was immediately ordered to Algiers, to take the command, and resume the governorship of the colony. The foreign legion, destined for Spain, is said to have suffered severely in this engagement.

The cholera still prevailed at Toulon, and has also reappeared at Marseilles, where on the 11th of July there were 56 cases and 11 deaths. Cases at Toulon on the 10th, 86 and 72 deaths. King Louis Philippe had granted 10,000 francs from the civil list for the relief of the sufferers at Toulon, and the chambers had voted a sum of 30,000 francs.

Suppression of the order of Jesuits.

The following decree for the suppression of the Jesuits, giving them an annuity of 25 cents a day for their priests and monks, and 15 cents for the lay brethren, appeared in the Madrid Gazette of July 9th.

"ROYAL ORDER."

"It being necessary for the prosperity and welfare of the state that the *pragmatic sanction* of the 2d of April, 1767, which enacts the law 3, chap. 26, book 1. of the late digest, shall be re-established in full force and vigor; and as thereby my august great grandfather, Don Carlos III. was pleased to suppress throughout the kingdom the order known under the denomination of the society of JESUS, and taking possession of their temporalities, by and with the advice of the council of *ministers*, I have decreed in the name of my august daughter, the queen Donna Isabella II, as follows:—

"1. There shall be for ever suppressed throughout the kingdom the society of Jesus, which, by a royal decree of the 29th May, 1815, was ordered to be re-established, which decree is from henceforth null and void, as it was already pronounced to be by the cortes of 1820.

"2. The members of the society shall not be permitted to reunite in any body or community under any pretext whatever, fixing their residences in any place which they shall make choice of in the kingdom, with the approbation of the government, where those who are ordained shall remain in quality of secular clergy, subject to their respective rules without wearing the habit of the said order, or retaining connection or dependence whatsoever with the superiors of the society not in Spain, and those who are not ordained in class or in quality of laymen, subject to the common law.

"3. The temporalities shall be taken possession of without loss of time, in which are included their estates, effects, furni-

ture and moveables, as also real estates and civil and ecclesiastical rents which the regulars of the society possess without prejudice to the charges and subsistence of the regulars proper, which shall consist of five reals per day to the priests during their life or until they shall have obtained a location, and three reals to the laymen equally, which shall be paid to both one and the other every six months from the treasury of the sinking fund, and which they will forfeit by leaving the kingdom.

"4. Foreign Jesuits who are within the Spanish dominions in or out of their colleges, and likewise their novices who have not yet commenced the profession, shall not enjoy the benefit of these provisions.

"5. The estates, rents and property, of whatever kind they may be, which the regulars of the company actually possess, shall be immediately applied to the extinction of the debt or payment of its interest. From this shall be excepted, however, the pictures, libraries and chattels, which may be useful to the institutions of arts and sciences, as also the colleges, residences and houses of the society, their churches, ornaments, and holy vessels, respecting which I retain to myself the disposal, under the advice of the ecclesiastical council of what may be necessary and convenient. Let it be understood and executed.

(Signed by the royal hand)

"MANUEL GARCIA HERERROS.

"*Aranjuez, July* 4."

Bilboa is represented to be quite secure—amply supplied with provisions, &c. and having a garrison of five thousand men.

A good deal of fighting still is going on in Spain. The advantage is on the side of the queen.

There is nothing important from Portugal.

Amsterdam has been disturbed by riots, growing out of a resistance of an odious tax.

The king of France has offered a reward of 20,000 dollars for the discovery and relief of the officers and crew of a French brig, La Lilloise, which left France on an expedition to the North seas in August 1833.

The last letters from Madrid anticipate a political convulsion as near at hand. The party in favor of the constitution of 1812, it is said, meditate the removal of the queen dowager from the regency, and the appointment of Don Francisco in her place.

West Indies. The accounts from Havre state the receipt of advices from Martinique, at which place intelligence had been received from St. Lucia of the negroes having set on fire seven or eight houses, and being in a very disorganized state. Great complaints were made at Martinique of the desertion of the slaves, who readily found an asylum in the neighboring islands.

BANK OF THE UNITED STATES.

The following may well be called a *triumphant* exhibit of the affairs of the bank—in the midst of all its *persecutions* and *proscriptions*, being impeached in all manner of ways, and assailed on every point—even its solvency being "questioned," by high authority. It appears that, after satisfying the enormous losses which followed the *first* administration of the bank, (and which justly rendered the institution unpopular), and *all* others that have happened, it has an *active* and *easily available* surplus of about *seventeen per cent.* to divide among its stockholders! We think that the like has never before occurred—and, certainly, not under like circumstances.

State of the bank of the United States on the 1st of July, 1835.

Surplus profits on the 1st of January, 1835			$3,293,434 38
Repaid by government expenses of loan office			410 24
Discount, interest and profit on domestic exchanges		1,996,452 81	
Deduct expenses	253,496 81		
Dividend now declared	1,225,000 00		
Amount of interest received at 3 western offices carried to credit of contingent fund	7,092 56		
		1,485,589 37	
			510,862 81
			3,804,707 13
Deduct balance due on banking houses so as entirely to extinguish the whole cost of them			242,375 84
Actual surplus to credit of profit and loss 6th July, 1835			3,562,331 59
Amount to credit of contingent fund to meet all estimated losses		5,915,853 32	
Amount of all estimated losses		5,668,539 79	
Surplus provided for all losses over estimated amount			247,313 53
Estimated value of banking houses, the cost of which have been extinguished			976,019 15
Estimated profit on foreign exchange			750,000 00
Actual worth of stock above par			5,535,664 27
Without calculating the lost bank notes which many well informed persons estimate at more than			1,000,000 00

On the 1st Aug. the state of the bank was, in round terms—

12,890,000 in specie,
2,197,000 funds in Europe,
24,200,000 domestic exchange.

49,287,000 means effective, available at short notice, to meet demands, &c. say circulation 24,300,000 00
Due depositors 9,698,000 00
Balances due in state banks 1,880,000 00

$35,878,000 00

Principal items in the monthly statement of the United States bank for the 1st inst.

Loans on personal security	31,406,440 37		
bank stock	2,231,917 70		
other securities	6,478,255 20		
	40,116,613 27		
Domestic bills of exchange	24,197,904 95		
		64,314,518 22	
Baring, Brothers & Co.		2,772,061 52	
Specie		12,883,968 42	
Redemption of public debt		260,403 76	
Treasurer of the United States		411,097 85	
Public officers		776,747 85	
Individual deposites		8,506,041 49	
Circulation		24,329,239 95	
Due from banks		3,789,454 47	
Due to banks		5,533,375 51	
Notes of state banks		1,710,313 65	

At the four principal branches—Philadelphia, Boston, New York and Baltimore:

Loans on Personal security	3,471,015 64	5,501,317 69	2,977,468 32	1,373,865 42
Bank stock	428,560.00	860,300.00	103,700 00	211,160.00
Other securities	4,502,389 45	1,325,036.12	8,100.00	48,897.29
	8,401,968.09	7,686,654 81	3,089,268.32	1,633,924.71
Dom. bills of exch.	1,832,703.12	2,243,306.49	3,344,894.06	255,563.41
	10,234,671 21	9,929,961.30	6,434,162 38	1,889,488.12
Due from state banks	759,652 22	890,557.15	155,715.61	96,898.36
Due to state banks	963,855.62	1,904,568.62	349,968.83	263,294.41

DISTRESS IN IRELAND.

We have before us a copy of the petition of the parishoners of Burrishoole, Ireland, complaining of the distressed state of the peasantry of that part of the country. It presents a heart moving picture. The population of the parish amounts to 11,761 souls—their only source of employment being agriculture and weaving. All the purposes of agriculture could be attended to, in the parish, in six months of the year, and the petitioners go into a statement to prove that under existing circumstances, five hundred thousand persons are necessarily consigned, from want of employment, to the deplorable alternative of dying by starvation, or of protracting a miserable existence by plunder, rapine and the infraction of the laws of the country.

[*Phil. Inq.*

"They state that in the year 1831, there were in the parish 2,041 families; 917 families of which were then without a cow, horse, sheep or ass; that at that period 3,931 above the age of fifteen, were without the ordinary clothes worn by persons moving in the humblest walks of life; that there were 561 widows and orphans having none to support them, and 187 cabins having residing in them more than one family, and some four families; that supposing three persons to lie on each feather bed, there were 9,338 sleeping on straw, heath or green rushes; and supposing three persons to sleep on each bedstead, there were at that period in the parish 7,531 sleeping on the ground; that there was one village within one mile of Newport, Pratt, the only town in the parish, having 45 families containing a population of 206 souls, having only 39 blankets, half blanket and a sheet to every three; 16 families, comprising eighty four individuals, trusting to seven blankets and a half, one blanket to every 12, generally not better than spent worn rags; that of 215 families, comprising a population of 1,090, residing in seven villages, some of them half a mile, and the most remote not a mile and a half from Newport, Pratt, 144 families, comprising 768 persons, were without one solitary cow; whilst the 144 were paying rents, and subsisting on lumpers, a species of wet, unwholesome and unnutritious potatoes; there are at present upwards of 5,000 suffering for want of food; without means to purchase any, hundreds of whom must perish from starvation if not relieved; the total rental of the parish may be estimated at £6,972 7s 8½d £4,796 4s. 11½d of which is annually drained by absentees out of the parish, without the application of one farthing of it to the alleviation of the miseries here detailed."

The London Times of the 8th ult. says—

"A meeting was held in Sackville street yesterday, preliminary to a public meeting to be convened for the purpose of ge-

paring a petition to parliament, praying the immediate adoption of a system of poor laws for Ireland. At the meeting it was stated, that two thousand indigent Irish laborers arrived during last week in Liverpool, that they can obtain transit for 3d. per head, and that a great many subscribers for the mendicity society in Dublin have withdrawn their subscription, solely under a conviction *that it is impossible to meet the distress of the country without a compulsory enactment.* Public notice will be given of the time and place of the public meeting."

[Has a famine prevailed in Ireland? Nay, from the town of Waterford, near *nine millions* of dollars, in *provisions*, were exported, in a year! Whereas, the equally dense population of England have plenty.]

THE DRAGOONS.

A very unhappy state of things seems to have existed in this regiment for some months past. At a general court martial held at Fort Leavenworth, in May last, several officers were tried. The first trial was that of lieutenant Thos Sword, charged with a "violation of the 25th and 28th articles of war." Under this charge there were two specifications: for the writing and sending of a challenge to capt. Matthew Duncan, of the dragoons, and for upbraiding and censuring the said capt. Duncan for not accepting his challenge, by saying "it showed what sort of a captain col. Dodge had to depend on, to go out against the Indians." To the 1st specification, lieut. S. pleaded guilty; to the 2d, not guilty; guilty to so much of the charge as relates to the 25th article; and not guilty of violation of the 28th article of war. The finding of the court was as stated in the plea; and lieut. S. was sentenced to be cashiered. But in consideration of the good character given lieut. Swords, the court recommended a remission of sentence. The president approved the finding and sentence of the court; but remitted the penalty, and directed that lieut S. should be released from arrest, and ordered to duty. At the same time lieut. James W. Hamilton was tried, charged with a "violation of the 26th and 28th articles of war." Under this charge there were three specifications; 1st, carrying a challenge from lieut. Swords to capt. Duncan; 2d, for casting lots with lieutenants Swords and T. B. Wheelock, to determine which should challenge capt. Duncan; and 3d, for upbraiding and abusing capt. D. for refusing to fight a duel, by saying, "that he was sorry that it had not fallen to his lot to have challenged the said capt. Duncan, as he would not have let him off until he had run him out of the army, or words to that amount." To this charge and specifications the accused pleaded not guilty. The court found him guilty of the first and second specifications, and not guilty of the third; and sentenced him to be cashiered. The proceedings and sentence having been submitted to the president, the following decision was pronounced thereon:

"The president confirms the finding and sentence of the general court martial in the case of first lieutenant James W. Hamilton, of the dragoons. In examining the proceedings in the case of lieut. Hamilton, the president observes, that one of the witnesses testifies that capt. Duncan used, in the presence of several individuals, and when speaking of lieut. Hamilton, language of an insulting and highly improper character, which, if correctly reported, would be so derogatory to the character of an officer and a gentleman, and so especially unbecoming in a superior officer when speaking of a junior, that the president feels it to be his duty to order that captain Duncan be placed in arrest, and a court martial appointed for his trial on that account; and on such other charges as may be preferred against him."

Captain Jesse Bean, lieut. Jefferson Davis, lieut. John L. Watson and lieut. A. G. Edwards, have resigned their respective offices in the dragoons. [*Missouri Republican.*

MEETING AT PORTLAND, MAINE.

The greatest public meeting ever held in Portland, Me. took place on Saturday, the 15th, to express views in relation to the abolitionists. Gen. *Chandler* chairman. A preamble and spirited resolutions were passed, full of sound and patriotic views, and expressive of the sovereign abhorrence of the citizens against the incendiary machinations of northern fanatics. Among other resolutions are the following:

Resolved, That the practice resorted to by some of the officers and members of the abolition societies, of loading the U. States mail with incendiary pamphlets, newspapers and publications on the subject of slavery, and attempting through that channel to distribute and circulate them among the blacks in the slaveholding states, is an alarming perversion and abuse of that invaluable medium of communication between the people of different sections of our country; as it has an immediate and direct tendency to lead the people of the slaveholding states to regard the very channels of communication and facilities of intercourse, not as blessings to be cherished, but as evils to be dreaded, as assailable points to the citadel, open to the attacks of the enemy;—and thus to compel them in self defence to erect an effectual barrier against all such insidious movements by dissolving the union.

Resolved, That it is the bounden and sacred duty of all good citizens of every state carefully and scrupulously to avoid all interference and attempts to interfere, and all manifestations of any intention or wish to interfere with the peculiar interests, concerns, laws and domestic policy of every other state in the union; and that all such acts of interference, where they tend to disturb the quiet, alienate the feelings, to provoke the jealousies, or to jeopardize the safety of the citizens of states, made the unwilling subjects of such officious intermeddling, deserve and ought to receive the reprobation of every friend of his country.

☞This meeting was held without regard to party.

ANOTHER AT BOSTON.

From the Atlas of August 22.

It has never fallen to our lot to discharge a more gratifying duty than devolves upon us, in recording the proceedings of yesterday at Faneuil Hall. The subject was one of no transient—no ordinary importance. It involved a consideration of the most solemn rights, and the most urgent duties. It had regard to the vital interests of an immense republic of associated states—looking back upon a past of common struggles and a common triumph—around upon a present of intense and general excitement on the one part, and a sympathy no less general and intense on the other—and forward, to a future—it may be of union, prosperity and peace—but, even to the eye of fervent patriotism and confiding hope—shadowed with clouds and darkness.

The call for a meeting in reference to the recent agitations on slavery, was received by our community with an universal sentiment of approbation. There is no section of the country in which a more generous, ardent and sincere attachment to the constitution and union of these states is entertained, than in that where the first seeds of that revolution were sown, whose full harvest was crowned with those rich blessings. There is no people who would guard their sacred inheritance with more jealousy than the people of Massachusetts. On the altar which the patriotism of the fathers erected—in memory of the treasure they had lavished, and the rich blood they had shed for a glorious cause—the altar of CONSTITUTIONAL UNION—the children are ever ready to offer the willing sacrifice of their lives, to save it from profane desecration.

If we needed any proof of the attachment of our citizens to the union and the constitution, it was amply furnished by the enthusiastic, and generous display of excited interest at the meeting in Faneuil Hall. Our people were told that the interference of northern citizens in the domestic institutions of the south—institutions recognized by the common compact of the states—had created a feeling in that section of the country which menaced the peace and integrity of the union. They needed no further inducement to pursue the course which duty and patriotism pointed out; and they met together to condemn in such language as the occasion justified, the movements of the disorganizers, and to extend to the south the amplest assurances of a common sympathy and common indignation.

We have never seen a larger or more respectable audience within the walls of old Faneuil; and it gave us great pleasure to recognise among them a large number of gentlemen from the south, who testified by more sincere language than that of the lips, the kind and grateful emotions that were swelling within their hearts.

The meeting was called to order by *François J. Oliver*, esq. Hon. THEODORE LYMAN, jr. mayor of the city, was appointed president. The vice presidents were Dr. *John C. Warren*, *John K. Simpson*, *Henry Lee*, *Patrick T. Jackson*, *Pliny Cutler* and *Amos Lawrence*, esqrs. The secretaries were Daniel D. Brodhead, Thomas B. Curtis, Wm. B. Reynolds and Stephen Fairbanks, esqrs.

Richard Fletcher, esq. opened the meeting with the introduction of a series of resolutions, having reference to a topic on which he begged leave to present his views to the assembly. We are not called upon, he observed, to consider the subject of slavery. We are not called upon to express an opinion on the duties of our brethren of the south; but we are called upon to consider our own duties, and to satisfy our own minds on the course that is proper for us to pursue. To determine our own duty, it is essential to consider the rights of the south; and on this subject but one opinion is generally prevalent in this community. What rights has the south on the subject of slavery? It is known that before the formation of the constitution, every state possessed sovereign and exclusive control of this subject within its own borders. The power of its regulation belonged to each individual state. And thus the constitution left it—untouched—entirely exclusive. And this was no mistake—no accident; it was so left by design. Into this compact we entered freely—deliberately—and pledged ourselves most solemnly to abide by its provisions. Under that compact we still live and flourish—the sun in its circuit looks not on a land more blessed. Under that sacred constitution, then—faithful to its spirit and letter—let us hope to live and to die.

Mr. Fletcher then proceeded to the consideration of our duties under that compact, with reference to the movements of the abolitionists. He reversed the case of interference, and asked with what general indignation should we not resist any intermeddling of the southern states in those domestic relations which the constitution has left to our own exclusive superintendence. Every man would resist it as a gross insult upon himself and the community. He considered, then, all such interference as totally wrong—mischievous—useless—worse than useless. It effected nothing. In the nature of things it could effect nothing—but excite a spirit of resistance and opposition. It could only retard, if not defeat the object that the abolitionists professed to have in view; and it had already, in all probability, thrown back emancipation more than half a century.

Mr. Fletcher then remarked on the unjustifiable and inflammatory language of the abolitionists—their coarse and violent epithets—and their avowal that all the laws in regard to slavery were in a moral point of view null and void. This doctrine he justly represented as revolutionary. The right of discussion—of persuasion—as claimed by the abolitionists was then considered; and that kind of gentle persuasion touched upon, which is exhibited in catching a man by the throat, spitting in his face, calling him rascal—with the assurance meanwhile that this is no violence—but mere persuasion!

After a series of judicious and eloquent remarks—following out in detail the views of the preceding paragraphs—Mr. Fletcher concluded with observing that the hopes of the slave and the freeman—the black and the white—are bound up together in the union of these states. If that union is ever in the providence of God to be torn asunder—I trust, in that melancholy event, it may be in our power to say that—we are guiltless! If the glorious banner that waves over us is ever to be torn down, may it not be by our hand.

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RESOLUTIONS.

Whereas it has become matter of public notoriety, that projects are entertained by individuals in the northern states of this union, for effecting the immediate abolition of slavery in our sister states, and that associations have been formed for this end—and there is cause to believe that the numbers and influence of these persons have been greatly exaggerated by the apprehensions of many of our southern brethren, and too probably by the sinister design of others, who discern an occasion to promote in the south, disaffection to our happy union: And in consequence of the great and increasing excitement prevailing upon this subject, it becomes our duty to attempt to calm the minds and assure the confidence of the good people of those states, by expressing the sense of this community upon these procedures: We the citizens of Boston here assembled, hereby make known our sentiments respecting this momentous subject, in the hope that the same may be favorably received and adopted by other communities and assemblies of our fellow citizens, so that a public and general sentiment may be demonstrated to exist in the north, adverse to these destructive projects. We hold this truth to be indisputable, that the condition of slavery finds no advocates among our citizens—our laws do not authorise it—our principles revolt against it—our citizens will never tolerate its existence among them. But although they hold these opinions, they will not attempt to coerce their brethren in other states to conform to them. They know that slavery, with all its attendant evils, was entailed upon the south by the mother country, and so firmly engrafted upon their social system, that the revolution, which sundered their political ties to Great Britain, had no effect whatever in loosening those which bound the slave to his master in the colonial state. This condition of things continued and existed at the adoption of the federal constitution. By that sacred compact, which constitutes the American union one nation, the rights and jurisdiction of the southern states were recognised and confirmed by all the rest. The actual state of their social relations was the basis of that compact; and we disclaim the right, and disbelieve the policy, and condemn the injustice of all efforts to impair or disturb solemn obligations thus imposed upon ourselves by our free act, with a full knowledge of their nature and bearing upon the political system, and by an adherence to which we have together prospered in peace and triumphed in war for nearly half a century.

Entertaining these views, we solemnly protest against the principles and conduct of the few, who in their zeal would scatter among our southern brethren firebrands, arrows and death. We deplore the illusion of a greater (though we still believe a small) number of estimable, moral and pious persons, who, confiding in the purity of their motives, but blind to the appalling consequences, unconsciously co-operate with them in their attempts to violate the sacred faith of treaties, and the plain principles of international law—And above all, we regard with feelings of indignation and disgust, the intrusion upon our domestic relations of alien emissaries, sustained by the funds of a foreign people. The national government has uniformly acted upon the principle of non-intervention in the domestic policy of foreign nations, and the people have imposed restraints upon their sympathies and feelings, which, had these only been consulted, would have led them to compel their government to abandon its neutral position. Surely the obligations which confederated states owe to each other are not less sacred than those which regulate their conduct towards foreign nations. The evils of slavery fall more immediately on those among whom it exists, and they alone, by natural and conventional right, are competent to make laws under which it will be mitigated, abolished, or endured. These evils can only be aggravated, to the discomfort and danger of the master, and the prejudice and misery of the slave, by attempts to encroach upon this jurisdiction.

Therefore resolved, That the people of the United States, by the constitution under which by the divine blessing they hold their most valuable political privileges, have solemnly agreed with each other to leave to the respective states the jurisdiction pertaining to the relation of master and slave within their boundaries, and that no man or body of men, except the people or governments of those states, can of right do any act to dissolve or impair the obligations of that contract.

Resolved, That we hold in reprobation all attempts in whatever guise they may appear, to coerce any of the United States to abolish slavery by appeals to the terror of the master or the passions of the slave.

Resolved, That we disapprove of all associations instituted in the non slaveholding states with an intent to act within the slaveholding states without their consent. For the purpose of securing freedom of individual thought and expression they are needless—and they are inexpedient inasmuch as they afford to those persons in the southern states whose object it is to effect a dissolution of the union, (if any such there may be now or hereafter) a pretext for the furtherance of their schemes.

Resolved, That all measures, the natural and direct tendency of which is to excite the slaves of the south to revolt, or to spread among them a spirit of insubordination, are repugnant to the duties of the man and the citizen, and that where such measures become manifested by overt acts, which are cognizable by constitutional laws, we will aid by all the means in our power in the support of those laws.

Resolved, That while we recommend to others the duty of sacrificing their opinions, passions and sympathies upon the altar of the laws, we are bound to show that a regard to the supremacy of those laws is the rule of our own conduct—and consequently to deprecate and oppose all tumultuary assemblies, all riotous or violent proceedings, all outrages on person and property, and all illegal notions of the right or duty of executing summary and vindictive justice in any mode unsanctioned by law.

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The resolutions offered by Mr. Fletcher were then read by Mr. Curtis, one of the secretaries. The question being on the adoption, the hon. *Peleg Sprague* rose in their support. He thought the regulation or abolition of slavery within the exclusive care of the slaveholding states. He saw no good that could result from agitating and inflaming the public mind at the north on this solemn and delicate subject; not if the excitement pervaded every section and state on this side of the Potomac. What benefit would result from such an excitement? Is it proposed to operate on the fears of the slaveholders? By such a course you might bind the cords of the slave closer—make his chains heavier—and dig his dungeon deeper: for fear hardens the heart against all touches of humanity—but you could effect neither his emancipation nor the improvement of his condition. And if an insurrection should take place among the slaves, should we not in obedience to the constitution, be ready for the call—aye, go forward to meet our brethren, and die in the defence of those whose blood is our blood—whose cause is our cause?

Mr. Sprague denounced in strong language the course pursued by the abolitionists. He desired to do them no injustice. They professed a wish not to compel, but to persuade; though their course was calculated for any thing rather than persuasion. They sought to please and allure, by language which could have no other effect than to excite and aggravate. He had heard of individuals who practised a thousand winning ways to make folks hate them; and the abolitionists had employed all these arts with wonderful success.

In reference to the disregard of consequences, which the abolitionists profess in performing what is *right*, Mr. Sprague could not conceive how a regard to consequences, in a subject of this importance, could avoid entering into the very essence of right. If they really entertained this notion, why did they not carry it fully into practice? Why do they not go to the south and preach their doctrines? Why, from a regard to the consequence; their lives, perhaps, would be in imminent peril, and the loss of life is a consequence for which even in following the strict line of duty, they exhibit a due regard. He thought the true understanding of this doctrine was, that the abolitionists disregard the consequence that might result from their conduct to other people—but were sufficiently sensitive in reference to those consequences that affected themselves. This position—this profession of disregard to consequences—was a false position—one that could be in no wise sustained.

With reference to the opprobrious language used by the abolitionists towards the slaveholders—stigmatizing them as robbers and murderers—men with whom we should hold no communion—Mr. Sprague pronounced it to be libellous and slanderous. The time was when such language could not have been breathed in this community. Go back to the period when our fathers first proclaimed resistance to that authority which claimed the right to bind the colonies in all cases whatsoever—when Massachusetts stood alone breasting the torrent of British power—and when our gallant brethren of the south came generously to her assistance—what was then thought of communion with slaveholders? When the streets of Boston and the fields of Lexington and Concord were flowing with the blood of our citizens—spilt by the myrmidons of Great Britain—when that man—a slaveholder—(turning to the full length painting of Washington, which forms the most valuable decoration of old Faneuil)—when that slaveholder, who there smiles upon this audience—with the slaveholders under his command—united in driving the enemy from our streets, and from this hall—our fathers surely thought it no reproach to hold communion with him and with them!

We cannot follow Mr. Sprague throughout in his spirited and eloquent remarks. They were received with an ardent and general applause. It is enough to say that he fully sustained within the walls of old Faneuil the high reputation for chaste, sincere and fervent eloquence that he brought with him from the floor of the senate.

The meeting was closed with a speech from the hon. *Harrison Gray Otis;* full of sound and striking views of the constitutional questions involved in the great subject under consideration, with strong and spirited though not bitter denunciation of the agitators and abolitionists. On rising to speak he was received with the most hearty acclamation; the voice which had swayed the stormy debates of that hall in past times commanded the same respectful attention—elicited the same enthusiastic admiration—which a graceful rhetoric, an impressive eloquence, and a convincing power of argument never fail to awaken in an audience like that of yesterday.

We should apologize to the speakers on this occasion for the publication of these hurried and most imperfect sketches of their remarks, sent at a late hour to the press, and of course inaccurately given. Our apology must be found in the great interest excited by the meeting—and our desire to furnish the earliest intelligence of its proceedings to our own citizens, and the citizens of the south. We shall present a full report of the speeches at an early day.

The resolutions were unanimously adopted.

☞This meeting was held pursuant to a call signed by about 1,500 of the most distinguished and worthy citizens of Boston.

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MEETING AT PHILADELPHIA.

From the Sentinel of Tuesday last.

Town meeting. In pursuance of public notice, an immense assemblage of the young men of the city and county of Philadelphia convened yesterday afternoon in the spacious hall of the Musical Fund society, in Locust street, for the purpose of adopting measures to counteract the recent incendiary movements of the advocates of the immediate abolition of slavery in the southern states. The large hall was crowded to overflowing, and became so oppressively warm that several attempts were made to have the meeting adjourned to Independence square; but as no preparations had been made for holding a meeting there, it was deemed most advisable to proceed to business in the hall. On motion of William C. Patterson, chairman of the committee of arrangement of the preparatory meeting, the following officers were appointed, viz:

Mortin McMichael, president.

George W. Toland, Peter Fritz, David S. Hassinger, James Hanna, Francis J. Harper, George H. Martin, James Gooduan, Robert Morris, John R. Walker, Hugh Elliott, M. N. Carpenter, Edmund Green, Oliver Fuller, jr. Joseph Worrell, jr. Jos. M. Thomas, Edward W. Warner, Alexander E. Freeman, Alfred Horner, vice presidents.

J. E. Negus, J. S. Pringle, P. R. Freas, George H. Hart, Geo. W. Fairman, John M. Kennedy, Tho's C. Clarke, secretaries.

The meeting was opened, and its objects stated in a forcible and eloquent address, by the president. He was followed by Robert T. Conrad, esq. who reported a preamble and series of resolutions, prepared by a committee appointed for that purpose, and which he prefaced with a brief but energetic address. He was followed by Jesse R. Burden, esq. and the honorable Joseph R. Ingersoll, who delivered powerful addresses on the subject before the meeting. All the speakers were loudly, repeatedly and enthusiastically cheered. Just before the meeting adjourned, alderman Binns offered a resolution, the object of which appeared not to be fully understood, and it was referred to the committee on resolutions. We have not received a copy of the proceedings as prepared by the officers of the meeting. The following are the preamble and resolutions that were unanimously adopted:

Whereas, The indiscreet and improper interference of certain individuals of the north with the domestic relations of the slaveholding states of the south, having endangered the peace of our fellow citizens of that section of our common country, and excited apprehensions and prejudices injurious to the union; and whereas, the citizens of the south having appealed to their brethren of the non-slaveholding states to manifest their disapprobation of the measures referred to, and to rescue them from the incendiary efforts of those who make our territory the seat of a warfare upon the domestic institutions of the south, therefore,

Resolved, That we respond to the call of our brethren of the south, that we *are* their brethren, and, as such, sympathize in their dangers and wrongs, and view with regret and indignation the incendiary measures which have disturbed their tranquillity.

Resolved, That we consider the course of the abolitionists in organizing societies, maintaining agents and disseminating publications intended to operate upon the institutions of the south, as unwise, dangerous and deserving the emphatic reprehension and zealous opposition of every friend of peace and the country.

Resolved, That we distinctly disclaim any and all right to interfere, directly or indirectly, with the subject of slavery in the southern states; and that any action upon it by us would be a bold violation of the constitution, and a presumptuous infraction of the rights of the south.

Resolved, That were it our unquestioned right to participate in the regulation of slavery at the south, convinced of the justice and liberality of our southern brethren, and believing that their practical acquaintance with and deep interest in the subject peculiarly qualify them to determine questions arising from it, we would, without fear or hesitation, commit it to their wisdom, justice and humanity.

Resolved, That we regard the union of this country as inseparable from its freedom, greatness and glory; that we consider no sacrifice too great to maintain it, and shrink with horror from all that is calculated in the most remote degree to endanger or impair it.

Resolved, That the course of the abolitionists, by exciting the prejudices of the people of the south, against the communities from which they are assailed, menaces the peace and permanence of this union.

Resolved, That as the people of the south alone have the power to emancipate their slaves, the irritating policy of the incendiaries renders that happy result more remote and difficult of attainment, and rivets, perhaps forever, those chains which they affect a desire to break.

Resolved, That the interference of the abolitionists with the slavery of the south, must inevitably multiply at once the dangers and suspicions of the master, and render necessary a heightened degree of vigilance and security, thus heaping additional restraints upon the bondman, and increasing the afflictions of the object of their misguided efforts.

Resolved, That we regard the dissemination of incendiary publications throughout the slaveholding states with indignation and horror; that measures so directly calculated to involve results at which humanity shudders, cannot fail to meet the hearty and indignant reprobation of the benevolent and patriotic; and that efficient, but legal and moderate measures should be adopted to suppress an evil at once so dangerous and disgraceful.

Resolved, That the obnoxious measures of the abolitionists having produced great and general excitement at the north, have already disturbed the peace of our cities, and threaten consequences still more extended and deplorable.

Resolved, That the efforts of foreign emissaries, paid with foreign money, and sent into the country to assail our institutions, malign our patriots, excite our people and distract our country, are regarded by all who cherish American pride and patriotism, with distrust and contempt.

Resolved, That should the colored population of the south, excited by the causes referred to or by any other, unhappily revolt against the laws and the lives of our southern brethren, (which heaven in its mercy avert), the young men of the north are prepared to meet the danger, shoulder to shoulder with the people of the south, and prove by the ready sacrifice of their blood, their devotion to the peace and rights of all parts of our beloved union.

Resolved, That we recommend to the legislature of Pennsylvania, to enact at the next session, such provisions as will protect our fellow citizens of the south from incendiary movements within our borders, should any such thereafter be made.

Resolved, That the north is sound to the core on the subject of slavery; that the mass of the people of the non-slaveholding states, neither claim nor desire a right to interfere with the institutions of the south; and regard with decided and marked disapprobation the principles and measures of the abolitionists.

Resolved, That we confidently believe the number and influence of those in this state, who are disposed to agitate the subject of slavery in the south, are extremely limited; and that the individuals in this city who are recognised as abolitionists, are, for the most part, wholly disinclined to any and all measures which may tend to excite or endanger the south.

Resolved, That we have reason to believe that there is no abolition press or publication in this city, and that no incendiary measures have been adopted or sanctioned by the friends of emancipation in this state.

Resolved, That we regard those, who, under the pretence of putting down abolition, have violated the laws, and disturbed the peace of the community, as the most efficient auxiliaries of the cause they affect to oppose; that the young men of Philadelphia, opposed to the measures of the abolitionists, pledge themselves, on the first symptoms of disturbance, to lend their hearty and determined aid to arrest and secure the legal punishment of those who degrade their cause by violence and outrage.

Resolved, That a committee of seven be appointed, to act as a committee of correspondence, to publish the proceedings of this meeting in the papers of this city, and procure their dissemination in the south.

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ANTI-SLAVERY SOCIETY OF MASSACHUSETTS.

TO THE PUBLIC.

At a meeting of the *Massachusetts Anti-slavery society,* duly held in Boston, on Monday August 17th, A. D. 1835,

Voted:—That the following address to the public, be subscribed by the undersigned committee, and published in the newspapers.

Attest, SAMUEL J. MAY, *sec'y.*

ADDRESS.

The Massachusetts Anti-slavery society, and others concurring generally in its principles, feel it to be their duty to themselves and the community, to make the following public declaration and disavowal. We offer this statement, at the present time, because the attempt is now made, to fix upon the abolitionists sentiments and intentions which they abhor;—because the suppression of our opinions by open force is recommended, and has been in numerous cases, already commenced;—and because we are confident the public would think more favorably of our opinions and purposes, if they were better understood.

We are charged with violating, or wishing to violate, the constitution of the United States. What have we done, what have we said, to warrant this charge? We have held public meet-

ings, and taken other usual means of convincing our countrymen that slaveholding is sin, and, like all sin, ought to be, and can be immediately abandoned. We have said, in the words of the Declaration of Independence, that "ALL MEN are created equal," and that liberty is an unalienable gift of God to every man. We know of no clause in the constitution, which forbids our saying this. We appeal to the calm judgment of the community, to decide, in view of recent events, whether the measures of the friends, or those of the opposers of the abolition, are more justly chargeable with the violation of the constitution and laws. Have we opposed the freedom of speech? Have we attempted to prevent discussion, and disperse orderly meetings by force? Have we intercepted the public mail? Have we incited mobs, burnt effigies, torn down dwellings, despoiled churches, put men to death without trial?

It is said that the constitution of the United States forbids our acting, in any way, on this subject. Admit, for a moment, that slavery is, as is so confidently asserted, *guaranteed* by the constitution; is not the liberty of speech and of the press also explicitly guaranteed? and if it be found that they cannot co-exist, the question is before the country—which of them is best worth preserving? But in truth, there are but three allusions to slavery in that instrument. One clause provides for a slave representation in congress;—a second forbids congress to prohibit the African slave trade, till the year 1808;—and the third enacts that "*persons* held to service or labor" in one state, escaping into another, shall be delivered up, on claim of the party to whom such service or labor may be due. Can our opposers think that these sections contain any prohibition of *speaking* or *writing* on the subject of slavery?

To the union of these states we feel a deep attachment. No price can be paid too great for its preservation, but the sacrifice of honor and principle. It is because we love our whole country, that we think it full time to discuss at least, the remedy for an evil which has been at the root of our national difficulties, and which is daily gathering a fearful importance to our honor, our liberty, our existence as a nation, that will permit no patriot to be silent.

It is intimated, that we are guilty of circulating incendiary publications among the southern slaves. We utterly and indignantly deny this calumny, and we call for the proof! We have no design and no means to address the slaves. Nothing can be further from our wishes, than to excite the slave population.—We should consider any action of this kind as far worse than useless—as highly dangerous, and as little less criminal than murder. Why should we seek to promote insurrection? What should we not lose by it? As merchants and mechanics, as citizens and parents, as patriots and Christians, we have as much to risk, as others in this community;—and we know, that such an event would be the greatest calamity to the slaves, and to the cause of freedom. No Anti-slavery society, and no person connected with any Anti slavery society, is believed to have ever circulated among the slaves, any publication whatever—as is so often *hinted*, but *never yet, we believe, distinctly charged*, by the opposers of our cause. We solemnly pledge ourselves, that if it can be shown that any person, connected with our cause, has ever circulated inflammatory tracts among the slaves, or with a view to be read by them—we will publicly renounce him as a foe to the peace of society, and to the best interests of the oppressed.

We refer our fellow citizens to any and all of our publications, peremptorily denying that there can be found in them a sentence, from which could be inferred other counsel to the slaves than this, "to suffer injury long and still be kind"—"not to avenge themselves, but give place unto wrath."

The attempt is made to delude the community into the belief, that abolitionists are willing to secure the emancipation of the slaves, at the expense of the safety of the whites. We deny this charge, in the most pointed manner. We have never advocated the right of physical resistance, on the part of the oppressed. We assure our assailants, that we would not sacrifice the life of a single slaveholder, to emancipate every slave in the United States. On the contrary, we are fully persuaded that the triumph of our principles is the only means of tranquillity or safety, for our country.

The foolish tale that we would encourage amalgamation by intermarriage, between the whites and blacks, though often refuted, as often reappears. We shall content ourselves with a simple denial of this charge. We challenge our opponents to point to one of our publications in which such intermarriages are recommended. One of our objects is to *prevent* the amalgamation now going on, so far as can be done, by placing one million of the females of this country under the protection of law.

We are accused of *interfering* in the domestic concerns of the southern states. We would ask those, who charge this, to explain precisely what they mean by "interference." If, by interference, be meant any attempt to legislate for the southern states, or to compel them, by force or intimidation, to emancipate their slaves, we, at once, deny any such pretension. We are utterly opposed to any force on the subject, but that of conscience and reason, which are "mighty through God, in the pulling down of strong holds." We fully acknowledge, that no change in the slave laws of the southern states can be made, unless by the southern legislatures. Neither congress, nor the legislatures of the free states, have authority to change the condition of a single slave in the slave states. But, if by "interference," be intended the exercise of the right of freely discussing this subject, and, by speech and through the press, creating a public sentiment which will reach the consciences, and plead with the convictions of the slaveholder, and thus ultimately work the complete extinction of slavery—this is a species of interference which we can never consent to relinquish. We add (what we have uniformly said) that on the subject of our relations with the southern states, we fully concur in the sentiments of our fellow citizen, Daniel Webster, in his published letter to Mr. Bolton. We desire at the same time, distinctly to avow our convictions, as according with those of many of the most eminent statesmen in the country, in regard to the constitutionality and expediency of immediate legislative action, in the abolition of slavery and the slave trade, in the District of Columbia, where, in the words of the constitution, congress has power "to exercise exclusive legislation in all cases whatsoever."

But, whatever may be thought of the tendency of our principles, we claim, as our constitutional right, the privilege to discuss and promulgate them. The constitution of the United States *prohibits* congress from making any law "to abridge the freedom of speech or of the press." The constitution of Massachusetts expressly guarantees the "right, in an orderly and peaceable manner, to assemble to consult upon the common good," and asserts—*not* that sound opinions only shall be tolerated, but that "the *liberty of the press is essential to the security of freedom in a state;* it ought not therefore to be restrained in this commonwealth."

We respectfully ask our fellow citizens, whether we are to be deprived of these sacred privileges—and, if so, whether the sacrifice of our rights will not involve consequences dangerous to all mental, and even personal freedom. We have violated—we mean to violate, no law. We have acted, we shall continue to act, under the sanction of the constitution of the United States. Nothing that we propose to do, can be prevented by our opposers, without violating the charter of our rights. To the law, and to the constitution we appeal.

Samuel J. May, Samuel E. Sewall, Moses Thacher, William Lloyd Garrison, Joseph Southwick, Francis Jackson, Charles T. Muldreth, William S. Porter, Edmund Jackson, Henry C. Wright, Ellis Gray Loring, E. M. P. Wells, Daniel Holbrook, Stephen Lovell, Dexter Fairbank, H. M. Chamberlain, Isaac Knapp, Nathaniel Southard, Charles C. Barry, John E. Fuller, Joseph Tilson, Daniel Cambell, William A. Weeks, Nathaniel Billings, John S. Kimball, Sylvanus Brown, George Jackson, Perez Gill, *committee*.

N. B. The publications of the Anti-slavery societies are for sale at the office, 46. Washington street, where our fellow citizens may procure them and compare their contents with the above declaration and disavowal.

"THE BEAUTIFUL."

Extract from Mr. Webster's speech in the senate, January 26, 1830.

"The eulogium pronounced on the character of the state of South Carolina, by the honorable gentleman from that state, for her revolutionary and other merits, meets my hearty concurrence. I shall not acknowledge, that the honorable member goes before me in regard for whatever of distinguished talent, or distinguished character, South Carolina has produced. I claim part of the honor, I partake in the pride of her great names. I claim them for countrymen, one and all. The Laurens, the Rutledges, the Pinckneys, the Sumpters, the Marions—Americans, all—whose fame is no more to be hemmed in by state lines, than their talents and patriotism were capable of being circumscribed within the same narrow limits. In their day and generation, they served and honored the country, and the whole country; and their renown is of the treasures of the whole country. Him, whose honored name the gentleman himself bears (Hayne)—does he suppose me less capable of gratitude for his patriotism, or sympathy for his sufferings, than if his eyes had first opened upon the light in Massachusetts instead of South Carolina? Sir, does he suppose it in his power to exhibit a Carolina name so bright, as to produce envy in my bosom? No, sir—increased gratification and delight, rather. Sir, I thank God, that if I am gifted with little of the spirit which is able to raise mortals to the skies, I have yet none, as I trust, of that other spirit, which would drag angels down. When I shall be found, sir, in my place here, in the senate, or elsewhere, to sneer at public merit, because it happened to spring up beyond the little limits of my own state, or neighborhood; when I refuse, for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or if I see an uncommon endowment of heaven—if I see extraordinary capacity and virtue in any son of the south—and, if moved by local prejudice, or gangrened by state jealousy, I get up here to abate the tithe of a hair from

power of dismission, there can be no just cause to apprehend that it will fail to make such modifications and exceptions as may be called for by the public interest; especially as whatever bill may be passed must obtain the approbation of the chief magistrate. And if it should attempt to impose improper restrictions upon the executive authority, that would furnish a legitimate occasion for the exercise of the veto. In conclusion, I shall most heartily vote for the bill, with or without the amendment which I have proposed.

DINNER TO COL. BENTON.

From the Missouri Argus.

On Saturday the 12th July, a portion of the democracy of the land, embracing a much larger number of person than was ever witnessed in this city on any similar occasion, met at the National hotel, to pay a tribute of respect to their long tried and faithful senator, *Thomas H. Benton.*

About half past one o'clock the company began to assemble, in anxious anticipation of the "feast of mind and flow of soul," as well as of the festive board, which they had every reason to expect would be diffused in glorious abundance; in this there was no disappointment—for, at a little after two o'clock, the object of their respect and admiration arrived, and from that time until the dinner was announced, exchanged salutations with his friends, and received their hearty and cordial congratulations, welcoming him home after a long absence of two years.

Dr. *Linn*, our other senator, was also present, as an invited guest, and added not a little to the pleasure of the day by his amiable deportment and his free and intelligent conversation.

At 4 o'clock the company sat down to a most sumptuous repast, prepared in Fleischman & Thompson's best style.

Col. Joseph C. Laveille officiated as president of the day; on his right was *senator Benton*, and on his left, senator *Linn;* to the right of senator *Benton* was seated his honor the *mayor* of the city. Richard William Lane acted as first, James B. Rowlin as second, major Edward Dobyns as third and J. R. McDearmon as fourth vice president.

After the cloth was removed the following sentiments were offered, and received with enthusiastic applause, amid the enlivening strains of an excellent band of music.

The 10th toast was—

Our guest, the hon. Thomas H. Benton—His unconquerable resistance to monopolies of every kind—his graduation bill—his gold bill—the establishment of a mint, in the valley of the Mississippi—his expunging resolutions—and his uniform adherence to democratic principles, have enshrined him in the hearts of his countrymen, as a patriot and statesman, whose fame shall be cherished, while liberty has a votary.

Missouri march.

After the deafening and reiterated applause with which this sentiment was received, had somewhat subsided:

Mr. *Benton* rose to return thanks, and to respond to the sentiments contained in the toast, and addressed the company for an hour and a half; but his remarks being the effusion of the occasion, no copy of them can be furnished, and we limit ourselves to the heads and points of some of the topics which he touched. He gave his reason for accepting the honor of this public dinner, contrary to his usual custom, and expressed his gratitude to the state of Missouri for the honor of three elections to the senate of the United States, and dwelt with emphasis and sensibility upon the gratification which he felt in finding himself honored and cheered by the approbation of his constituents after fourteen years of arduous service during a period so replete with momentous events.

The first event in his public career to which he adverted was the presidential election in the house of representatives in 1824-'5. He did not give the history of that election, but he made two remarks upon it, for the sake of impending or future events, the first was, that then began the attempt to trample upon the will of the people, and to deny or evade the right of instruction, which has since ripened into a regular contest between the people and their public servants, and was soon to receive its decision in several of the states, and also in the senate of the U. States. The other remark upon that election was, that experience proved that the theory of the constitution had failed in the practice; and that the vote for president in the house of representatives, while nominally the privilege of the state, was, in reality, the private property of the representative, who might dispose of it as he pleased; and the state had no means to coerce him before hand, and to punish him afterwards, or even to vacate a vote corruptly or ignorantly given against her will. With respect to general Jackson's deportment in that contest he would repeat a remark which he had heard from Mr. Scott, the then representative of Missouri, and which would display the noble and lofty bearing of that great man in that contest for the highest honor of the world, and even add to the exalted fame which he now possessed; it was that, so far from courting Mr. Scott for his vote, or doing any thing to gain or conciliate him, that he was more reserved than on former occasions, and *even treated him coolly!* The statement of this fact, so honorable to gen. Jackson, was received with the greatest applause by the company, and when it had subsided, Mr. B. went on to remark upon the peculiar fate of gen. Jackson since his election to the presidency. He said he was originally the candidate of the people; he had been selected by them and was elected by them, and possessed more of their confidence and affection, and had done more for them, than any other president had ever done; yet he had been more thwarted, counteracted, opposed and villified by the people's representatives than any other president had ever been; and finally he had been condemned by the senate, without hearing or trial, for violating the laws and constitution.

Mr. B. looked to the sources of opposition from the peoples' representatives to the favorite chief magistrate of the people, and traced it to two causes: first, the original sin, in the eyes of certain politicians, in the election of president Jackson, in being elected by the people—the common people as they are called—without the sanction and against the calumious predictions of these same politicians; and secondly, to the appearance of a new power among us, a great moneyed power, combining political and pecuniary influence, and wielding the whole in governing elections or in seducing members after they were elected, and sparing no labor or expense to defeat, counteract and ruin the president who could never be brought to sign them a new charter. These he said were the two sources of the great opposition to president Jackson, and from which flowed the treacherous desertion of so many members, and the final scene of attaining and ostracising the president without trial or hearing. With respect to his own part in the presidential election of 1824-'5, he said that he had joined gen. Jackson in that contest, because he saw the rights of the people violated in his person; and had supported him ever since, because he approved his course, and because his cause and the cause of the people had been the same from that day to this. He slightly alluded to the obloquy cast upon him for his support of president Jackson, and said that he left it to time and to his actions to tell his motives. He did not deal in professions; he did not plead like a lawyer in his own behalf; he knew that it had been said by a wise man of antiquity, that the precept, "KNOW THYSELF," would not be considered as divine if every man could easily reduce it to practice, yet he would now, after the lapse of so many years from that election of 1824-'5, so far speak of his own motives as to say that, he believed he knew himself *then*, and was certain that he knew himself *now*, far enough to know that no selfish, no venal, no interested motive had entered his councils, or swayed his conduct, when he urged the representative of Missouri to give the vote of the state to general Jackson. Great applause interrupted Mr. B. at this declaration, and when it had subsided, he said he would quit a topic which he had never touched before, and barely alluded to now, with repeating that as he originally joined gen. Jackson, because he saw the rights of the people and the spirit of the constitution violated in his person, so he had continued to support him, because his judgment approved his conduct, and because in his person was embarked, and in his fate was involved, the great cause of democracy and the country.

The senatorial condemnation of the president was referred to by Mr. Benton, not to dwell on or expatiate upon that act of enormity, which will yet be found to have been so lastingly unfortunate for the senate, while only temporarily annoying to the president, but for the purpose of particularizing two, out of the many hideous features which distinguished it, and which too, though several times mentioned by him in his speeches in the senate, did not seem to have sunk sufficiently deep, or to have taken sufficient hold upon the public mind. The first of those circumstances was, that the senate of the United States had been so unfortunate as to play second fiddle in that affair! It had followed the lead of another power! and in the whole charge, and in all the arguments for the condemnation of the president, it had only repeated what the bank of the United States had first charged and propagated through the columns of the newspapers in its interest. The second feature he would present was, the want of specification in the sentence of condemnation. It had been first drawn up with specifications, which were struck out because no majority could be found to agree to them, and was then passed without specifications, because no majority could agree upon any others as a substitute. The result was, that the president was condemned for a violation of the laws and constitution, when those who condemned him could not agree in telling for what, nor name the act which was inconsistent with law or constitution! The condemnation was the result, not of conviction, but of compromise; and the senate of the United States, the highest judicial power known to the constitution, had passed a judgment, and that against the president, under circumstances which would cause a verdict to be set aside, and for which a petit jury would be reprimanded and sent back to their room, in any court of any county of any state in the union.

His own expunging resolution, so emphatically referred to in the proceedings which led to the dinner, were naturally touched upon by Mr. B. He took some credit to himself, and indulged in some pride of recollection, not so much in the fact of having moved the resolution, for enough would have been found before now to have done that, but in the time at which he gave his notice for moving that resolution. It was no afterthought with him; but originated at the darkest hour of the contest, when state after state had given way; when Virginia herself had quailed and faultered under the double charged batteries of panic and pressure, and when the senate chamber itself, sunk to an election hustings, resounded with the shouts of bank-whig-triumph, and heard the assertion, so unfitted to the dignity of that place! that the last blow of the hammer on the coffin of Jacksonism had been struck! It was at this moment of darkness and defeat for democracy, and of bank whig-triumph, that his notice had been given, and that without consult-

ing with any human being. His notice, then given was a compliment to the democracy of the United States! it was a declaration of his abiding confidence in the justice of the people, and of his conviction that they would never suffer that mortifying monument of bank triumph over their patriot president to remain upon the journals of the senate.

The contest with the bank of the United States, Mr. B. said was the great legislative event of the age. It had occupied too large a space in the public mind to need extended notices on this occasion from him; but he would point out some incidents which showed the peculiar audacity, wickedness and contempt of public opinion which characterized the conduct of that institution. Thus, at the last presidential election the question of the recharter was precipitated upon congress, and brought forward four years too soon, for the purpose of operating upon the elections, and making the recharter a *test* question, and putting down all who were opposed to it. Failing in that open and daring attempt to carry the elections and govern the government, it had now reversed its conduct, and pretending to be dead, declared every where that the question was at an end—that the recharter was given up—and thus endeavored to smuggle its friends into congress, where it would be sure of their votes in all subsequent contests. Mr B. said that the bank was not dead; that it had only substituted fraud and cunning for audacity and violence; that it was now in the political field, laboring to divide the democracy of the union, to carry the election of president into the house of representatives, and to smuggle in its own friends at the same time, where it would be sure of all their votes, both for the bank candidate for president, and for the recharter whenever the monarch institution gave the signal for the rally and summoned her vassals for the charge.

The panic and pressure which had been got up by the bank, Mr. B. looked upon as the most stupendous piece of villainy which had disgraced human nature since the time of the Catilinarian conspiracy. He described the process by which that scene of panic and pressure had been carried on, and extolled the firmness of the president in resisting all attempts to operate upon him; and ascribed to that firmness the success of the country in weathering the storm of the conspirators and alarmists. Many good men, Mr. B said, in all parts of the country, were overpowered by the storm, and were ready to blame the president, and to yield to the demand for the restoration of the deposites, or a renewal of the charter. He did not censure citizens at a distance for so yielding; for many stout hearts, even at Washington, gave way; and it required the heroism of president Jackson to hold them to the contest, and make them atcheive a glorious victory in spite of themselves. The condemnation of the president, Mr. B. said, was part and parcel of the panic scene; for while the bank was screwing the people for money on a fabricated pretext, which was both false and frivolous, the senate was condemning him, without being able to tell for what. But he would not go into that condemnation; he had touched upon it already, and had presented some features which displayed its enormity; he would only add, that, in being thus condemned, president Jackson had shared the fate of the Roman consul, who had also been condemned for violating the laws in suppressing the conspiracy of Catiline; and in being denied the privilege of defending himself, he had again shared the fate of the same consul, who had in like manner been denied the privileges of a defence. He then mentioned the conduct of Cicero in being refused a hearing: he said that he rushed into the temple of the Gods, followed by all that was virtuous in Rome, and swore upon the altar that he had saved his country! an oath, said Mr. B. which president Jackson might truly have taken, when the senate refused to hear his defence! The applause of the company enthusiastically responded to this sentiment.

The removal of the deposites Mr. B. pronounced to be the most masterly movement in politics which the age had witnessed. That removal had brought on the second fight with the bank before she was ready for the battle, and saved the country from the dangers of the combat with her at the presidential election of 1836. It was at the presidential election that this great moneyed power chose to have its combats with the people; and if it had been permitted to ripen its plans for the battle of 1836, not even Jackson himself could then have saved the country. Her plan was to go on strengthening herself, and getting the people and the state banks into her power. For this purpose the public deposites were indispensable to her. It would have put all the public money in her hands; her own resources would have enabled her to draw all the silver from all parts of the country into her own vaults; the community and all the state banks were to be in her debt; and her notes were to constitute the only money in circulation. Thus fortified for the struggle, the era of the presidential election of 1836 would have been her time for throwing out the signal for battle. It would have been her selected period for panic and pressure! Then would have been witnessed all that the country saw the winter before last. Loans stopped, debts called in, state banks pressed for their balances, domestic and foreign exchanges broken up, all her own notes withdrawn from circulation, and the notes of all state banks rejected and depreciated; at the same moment, all the bank candidates for the federal and state governments would be thrown before the people, and the cry of ruin set up if they were not elected! and elected they would have been under the actual and dire alarm which would have convulsed and desolated the country. The bank candidates would have been elected, and the year 1836 would have seen the whole power of the people overturned, and not only the federal government, in all its branches, executive, legislative and judicial, but the state governments also, in all *their* branches, would have fallen into the hands of the British federal bank, and would have been administered by the pensioners, debtors, and hirelings of that institution. Such would have been the fate of our America, said Mr. B. if it had not have been for the masterly stroke of the removal. That great movement had not only brought on the fight before the bank was ready, but it had weakened the bank and disabled her for the fight, and at the same time strengthened the people, by shifting the ten millions of public deposites from the assailants to the defendants! by taking them out of the hands of the British federal bank, where they would have been used against the country, and put into the hands of state banks, where they were used for the country. These great movements saved the country, and rendered impotent the vengeance of the bank. The panic and pressure has gone by. The country is triumphant, victorious, prosperous and happy; and the daring institution which forced on an open contest with the people for the presidency in 1832, and expected to rule or ruin in 1836, is now driven to act the sneaking and ignominious part of the midnight depredator, and to resort to lies and duplicity, to fraud, stratagems and divisions, to smuggle her candidate for the presidency into the house of representatives, and to smuggle her candidates for congress into the same place, there to consummate by treachery what cannot be attempted by open means. All this Jackson has done! He has saved the people from all open danger, and if they now suffer themselves to be circumvented by fraud, and defeated by treachery, the fault and the loss must be their own.

Mr. B. had pleasure, he said, in responding to the sentiment which ascribed to him a dislike and opposition to chartered monopolies and exclusive privileges. He was throughly opposed to such things, and looked upon corporations, and especially moneyed corporations, as the legislative vice and opprobrium of the age and country in which he lived. The subject was too large and too grave for the fleeting effusion of a dinner table; but he would take the occasion to proclaim what his researches had given him an opportunity to find out, that the people of the United States—the business part and the productive part of the people—were taxed above twenty millions of dollars per annum by chartered banks and the paper system. Mr. B. would justify this assertion by a brief statement. There were upwards of six hundred banks in the United States: every bank had its president, cashier, clerks, tellers, runners, messengers, notaries public to protest notes, and attornies to bring suits, besides some tens of thousands of stockholders. The aggregate of all these numbers could not be exactly ascertained; but he believed them to be two or three times as numerous as that standing army in time of peace, the creation of which overturned the administration of the elder Adams, and dispersed the congress which voted it. Mr B. believed the present standing army of bank officers and bank stockholders to be two or three times more numerous than the provisional army of '98; and he was certain they were eight or ten times more costly to the people; for it was not believed that this bank army would content themselves with three quarters of a pound of pickled pork, and a pound and a quarter of contract bread per diem, or with $5, or even $40 per month. On the contrary they lived more like the rich man in scripture, that wore fine linen, and fared sumptuously every day; and besides that they laid up something for a rainy day; and the cost of the whole came out of the people; for it would not do to say that they made it out of themselves. Upwards of twenty millions of dollars per annum Mr. B. computed this standing army of the paper system to cost the people; and for what? to supply a miserable ragged, filthy, counterfeit, broken bank paper currency, subject to every fluctuation—a flood of it one day—all gone the next day—and enabling the few to live upon the many, and to put up, and put down the price of all property, all produce and all labor, just as it suited their own interested schemes of speculation, and of jobbing and gambling in stocks, exchanges and the staple productions of the country; and to drive off the gold and silver which would come in abundance, and cost no tax if the pestilence of paper money was banished from the land. Mr. Benton said the present administration was in earnest about checking the paper system, and returning to the currency of the constitution. They had taken the first steps towards that great work; they had raised gold to its proper standard—had legalized the currency of foreign silver—and had branched the mint. These were three steps, but others remained to be taken; for the currency of a country was not to be changed suddenly, and by word of command. It must go on gradually, and be effected by degrees. Three steps had been taken; two others remained for the next congress; one to restore the act of 1789, and to exclude all paper currency from all payments to and from the federal government; the other, to exclude from the privilege of keeping the public moneys, every bank that will not agree to suppress all paper currency under twenty dollars. With these additional steps, Mr. B. said, the paper system might be checked, and the gold currency—the pride and glory of Jackson's administration—might be established and preserved. He repeated, the GOLD CURRENCY! which every bank whig had been employed for a year in ridiculing and calling the *gold humbug*. It would be a humbug in good truth, Mr. B. said, if the bank succeeded in smuggling her friends into congress, to

oppose the friends of gold, and to vote against every measure to protect and promote its circulation. The bank of the United States was the great enemy of gold, and its partizans were also its enemies. That bank, and its followers, were employed in catching and caging every young eagle that issued from the mint of the United States; and to secure the free flight of these young birds, that cage must be broken up, not only the great cage in Philadelphia, but the little ones in the states. Upwards of six millions in gold had been coined; both branches of congress, and the president, and a vast majority of the community, were in favor of the gold currency; but the bank of the United States, an institution created to aid the government in the management of the currency, has insolently and audaciously set herself up to defeat an act of congress, and to counteract the public will in the re-establishment of the gold currency. She collects it, and hoards it; all the branches do the same. The deposite banks, on the contrary, aid and promote the circulation of gold. They put the best foot foremost—their yellow foot—rather a small one; but still good as a sign, and an evidence of what they are willing to do, and will do, when the power and monopoly of the bank of the United States is broken down, and the gold in its vaults turned out to circulation. Even now, Mr. B. said, there was no room for the taunts of those who were continually crying gold humbug! He would ask of all present, if they had not seen more gold in the last year than in the last twenty? [Universal cries of yes! yes! was the response to this question], and Mr. B. said that when the additional steps were taken, and the mints at New Orleans and the south in operation, and the bank of the United States wound up, gold would be the common and plentiful currency of the land. One year hence, and the present shouters of *gold humbug* would be as sick of that word as the bank whigs now were of their old ditty, which they sung so melodiously during the panic and the pressure, "that the removal of the deposites made the distress, and nothing could relieve the distress but the restoration of the deposites, or the renewal of the charter!" The largest collection of bank whigs, even the distress jubilee assemblage of Powelton, might now be dispersed by a single cry from the chorus of their old song; so one year hence the gold humbug performers could be as suddenly dispersed by the cry of humbug as the reading of the riot act would disperse an unlawful assembly in the streets of London.

Mr. B. spoke of the present attempt to destroy the democratic party of the U. S. under the pretext of abolishing all political parties. He said the effort to destroy parties was futile and absurd; it was an attack upon human nature itself. Parties were inherent in all free governments, and had existed from the earliest records of history. Greece had her democracy and aristocracy; Rome her plebeians and patricians; the republics of modern Italy had their parties; England and France theirs, and the United States here. In the convention of 1788, for the formation of the federal constitution, the present dividing line between the political parties which now exist, was distinctly drawn. There was a party in that convention for a strong and splendid government; a senate for life; a president with nearly kingly powers; and a national bank. That party was defeated in the convention, and immediately took the popular name of federalists. In a few years they ruined that name, and then changed it to federal republicans. During the late war with Great Britain they ruined that name also, and then took the appellation of national republicans. That, in its turn, was likewise ruined; and during the panic and pressure scene, the old revolutionary name of whig was seized upon. Unhappily this name was ruined in less time than either of the others; and the party which has had so many names, is now nameless, and is casting about for another new one. Having a "god like" man at their head, it has been thought they could assume a name in reference to that demi-divinity, and entitle themselves, as the Chinese do their empire, THE CELESTIAL PARTY; but for the present that high design is not executed. A humble appellation suffices; and in all parts of the union, from Passamaquoddy bay to Attakapas creek, and from the Dismal swamp, in Virginia, to the Boon's lick prairies in Missouri, the new and ample standard of the "NO PARTY" party is unfurled! and the *ci devant* whigs rally to it with the precision of instinct, and the fidelity of legitimacy. "*No party*," then, is the name of the old party, which is the same now as it was in the federal convention; and which has so often changed its name without once changing its principles. Democracy, on the contrary, has never changed her name. It is the same now that it was three thousand years ago; the same that it was when the PEOPLE of Greece and Rome carried the glory and prosperity of those republics to the highest pitch of human greatness. Names are nothing. There are but two parties; there never has been but two parties; all the rest are modifications of these two. They received their names—the names which they now wear—above three thousand years ago; and have retained them ever since, because those names are characteristic and descriptive; they describe what they name; and go to the root and foundation of all party, which is founded in the radical question, whether PEOPLE, or PROPERTY, shall govern? Democracy implies a government by the people—*demos*, (the people), *krateo*, to govern. Aristocracy implies a government of the rich—*aristoi*, (property, or the rich) *krateo* to govern; and in these words are contained the sum of party distinction. Is it not so now? Is not a moneyed corporation the life and soul of one party in the United States? and are not the people the sole constituents of the other party? Have not the people struggled for ten years to govern their representatives; and have not all who follow the moneyed corporation, resisted the will of the people, and trampled the right of instruction under foot? Minor distinctions are nothing; names are nothing; all parties resolve themselves into two elements—the same which drove the plebeians of Rome to *Mons Sacer*—the same which now ranges one portion of the people of the United States against the right of instruction, and in favor of a great moneyed corporation; and the same which now ranges another portion of the same people in favor of the right of instruction and against the moneyed power. This is the state of parties now existing among us; it is literally and truly a question between PEOPLE and PROPERTY! between MEN on one side and MONEY on the other! between the intelligence and virtue of him to whom God gave the dominion of the world, and the dead weight of the purse of him who has loaded himself with the things of the world. Foiled, defeated, routed and driven from power, under every name which they could assume, this party has now undertaken to deny its own existence, while exerting itself with an energy and unanimity never surpassed to consolidate its ranks and to perpetuate its existence. It cries out *no party*, and in that cry seeks the destruction of the democratic party, and the triumph of its own. "No party" is the motto now inscribed on the standard of their party; and wherever, said Mr. B. you will shew me a man with this word in his mouth, I will shew you a man that figures at the head, or dangles at the tail, of the most inveterate party that ever existed.

Great applause followed the delivery of these sentiments, and when it had subsided, Mr. B. remarked to the company that the day was spent—and the sun was down—and that time admonished him to finish. Many called for him to go on, and that the sun was up! the sun of Missouri was up! Mr. B. caught this expression, and giving it the turn which suited his own feelings, exclaimed, yes, the *son* was up! the *son* of Missouri was up! one to whom she had been a most kind and indulgent mother; and to whom he must be permitted to shew the gratitude of his feelings in a concluding sentiment. Mr. B. then gave the following toast, which was drank with the greatest enthusiasm:

The democracy of Missouri—May they continue united and invincible, and emulate the glorious career, at home and abroad, of the democracy of Greece and Rome.

Our senator Lewis F. Linn—His faithful services in the senate elicit our approbation and command our esteem and confidence. *Hail to the chief.*

This sentiment was received with all the warmth of feeling which the faithful and efficient services of Dr. Linn are calculated to inspire a generous people, and were responded to by him as follows:

FELLOW CITIZENS: I took my seat in the senate of the United States during one of the most exciting and turbulent sessions of congress known in the history of our government; although seldom participating in debate in the great question which agitated the country, I can sincerely and truly say, my time and attention were industriously employed in advancing the interests of the state, and my votes given to sustain what I deemed to be sound constitutional principles. That this course met the approbation of my constituents was demonstrated by the overwhelming majority by which the legislature ratified the appointment of the governor. For this mark of confidence I entertain the profoundest sense of gratitude and feel that it will never be in my power to cancel half the debt.

For the flattering notice taken of me on this festive occasion, accept my grateful thanks and with them, the following sentiment:

"The right of the people to instruct their representatives." May he who disbelieves be denied the possession of power, and he who disobeys be punished.

Volunteer toasts.

By the president of the day, col Joseph C. Lavelle.

Roger B. Taney, esq.—Persecuted by the bank of the United States, and rejected by the senate, he rises higher in the esteem and admiration of all good republicans, and presents a noble contrast to the spotless purity of his public and private life to the history of those who pursue and assail him.

By the first vice president, Richard William Lane, esq.

James Buchanan, of Pennsylvania—His transcendant talents, pure integrity, and ardent devotion to *democracy*, shed the brightest lustre on his native state.

By the fourth vice president, James R. McDearmon:

Benjamin W. Leigh—His report of 1812, the only bright page in the history of his political life; his recent aberrations from the path of rectitude evince too clearly his forgetfulness of his own precepts, and a determination to disregard the wishes of the people of his state; let him hold on, if he will, to his zeal in the senate "even to the bitter end;" he had as well be seated on the crater of a volcano in full blast.

By lieut. col. B. W. Ayres:

Richard M. Johnson—He is destined to triumph over his ferocious calumniators and persecutors, by a victory not less glorious than when he vanquished Proctor, and his more noble ally, Tecumseh.

[And then follows, after the *Pennsylvania fashion*, about 75 more volunteers.]

The 40th was as follows:

By John Rice—*Daniel O'Connel*, the *Jackson* of green Erin—his efforts in the great cause of human liberty will be ceaseless until the freedom of his country is achieved.

END OF VOLUME FORTY-EIGHT.